

SENATE.

SATURDAY, May 30, 1908.

[Continuation of legislative day of Friday, May 29, 1908.]

At 2 o'clock and 25 minutes a. m. Saturday, May 30,

Mr. LA FOLLETTE said: Mr. President, I now suggest the absence of a quorum.

Mr. HOPKINS. That has been decided.

The VICE-PRESIDENT. The Chair is of the opinion that the Senate has already decided that question. It has decided that roll calls of the Senate having disclosed the presence of a quorum and no business having intervened, the suggestion of a lack of a quorum is not in order.

Mr. LA FOLLETTE. It is two hours since that decision was made, and during that time a considerable amount of business has intervened. I, of course, am always reluctant not to acquiesce in the ruling of the Chair, but I think I shall have to take an appeal from that ruling.

The VICE-PRESIDENT. The Senator from Wisconsin appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. LA FOLLETTE. I ask for a division.

The VICE-PRESIDENT. Upon that question division is demanded. Those in favor of sustaining the decision of the Chair will rise. *[After counting.]*

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. The Senator from Rhode Island.

Mr. CULBERSON. I rise to a point of order. Nothing is in order pending a division.

Mr. ALDRICH. There has been no announcement made by the Chair.

Mr. CULBERSON. The Senate is dividing.

Mr. ALDRICH. Have I the floor, Mr. President?

The VICE-PRESIDENT. The Chair did not hear the Senator.

Mr. ALDRICH. The result has not been announced.

The VICE-PRESIDENT. The result has not been announced.

Mr. ALDRICH. I ask if I have the floor.

The VICE-PRESIDENT. The Senator from Rhode Island.

Mr. ALDRICH. In my own right? I am recognized, I suppose, in my own right.

The VICE-PRESIDENT. The Senator from Rhode Island.

Mr. ALDRICH. Then I desire to make some remarks upon this subject.

Mr. CULBERSON. I rise to a point of order.

The VICE-PRESIDENT. The Senator from Texas will state his point of order.

Mr. CULBERSON. It is that nothing is in order when the Senate is dividing. The rule is plain.

The VICE-PRESIDENT. That is correct.

Mr. ALDRICH. Until the result is announced I think I am entitled to the floor.

The VICE-PRESIDENT. The Chair did not hear the Senator.

Mr. ALDRICH. I say, until the result is announced I think I am entitled to the floor. While the roll is being called no debate is in order, but that presents an entirely different question. I propose to discuss the question of the appeal from the decision of the Chair.

The VICE-PRESIDENT. The Senator from Rhode Island—

Mr. CULBERSON. Mr. President—

Mr. ALDRICH. Mr. President, I make the point that I am entitled to the floor.

The VICE-PRESIDENT. The Senator from Rhode Island.

Mr. ALDRICH. I desire to discuss this appeal in my own right.

I have no question whatever that the decision made by the Senate is a correct decision. The Record read by the Senator from Wisconsin discloses plainly that the question decided in that case was almost the precise question decided in this case, which was that a call of the roll having disclosed the presence of a quorum no point of the absence of a quorum may be made until business has intervened. I made the point upon the distinct ground that debate was not business, and the point was sustained by the Senate. I therefore believe that the appeal from the decision of the Chair should not be sustained, and I move that the appeal be laid on the table.

Mr. CULBERSON. Mr. President—

Mr. KEAN. A motion to lay on the table is not debatable.

The VICE-PRESIDENT. The Chair recognizes the Senator from Texas.

Mr. CULBERSON. Mr. President, "a question of order may be raised at any stage of the proceedings, except when the Senate is dividing," page 20, Rule XX. The Senator from Rhode

Island undertook to interrupt the proceedings when the Senate was in the act of dividing, and was undoubtedly out of order. The count had been made on one side only, and I ask the Presiding Officer to put the opposite of the question.

The VICE-PRESIDENT. The Senator from Wisconsin appealed from the decision of the Chair. The question then was, Shall the decision of the Chair stand as the judgment of the Senate? Upon that question a division was demanded. Under the rule, the Chair asked those in favor of sustaining the decision of the Chair to rise and stand until they were counted. Twenty-eight voted in the affirmative.

Mr. ALDRICH. But no announcement had been made.

The VICE-PRESIDENT. No announcement had been made.

Mr. CULBERSON. Mr. President—

Mr. HOPKINS. Mr. President—

Mr. CULBERSON. I submit that of course no announcement had been made, because the Chair had not called for the negative vote, and the Senator from Rhode Island undertook to interrupt the division. I call him to order.

The VICE-PRESIDENT. The Chair is of the opinion that there can be no interruption during a division, under the rule.

Mr. ALDRICH. I ask that the rule may be read.

The VICE-PRESIDENT. The Secretary will read the rule.

Mr. CULBERSON. It is Rule XX, on page 20.

The SECRETARY. Rule XX, page 20:

A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the presiding officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the presiding officer without debate; and every appeal therefrom shall be decided at once, and without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the presiding officer.

Mr. ALDRICH. I did not raise a question of order. I made no suggestion of that kind.

Mr. CULBERSON. Mr. President, I rise to a point of order. The VICE-PRESIDENT. The Senator will state his point of order.

Mr. CULBERSON. It is that the Senator from Rhode Island is out of order when the Senate is dividing. I call attention to the fact that he was discussing a point of order as well as raising one.

Mr. ALDRICH. I beg the Senator's pardon. I never discussed the point of order. I was proposing to address the Senate upon the question of the appeal from the decision of the Chair.

Mr. CULBERSON. That is the point of order.

Mr. ALDRICH. I expressly stated that when I rose and asked the Presiding Officer to recognize me in my own right, which he did. I was not raising any point of order.

Mr. OVERMAN. The Senator can not speak when the Senate is dividing.

Mr. ALDRICH. There is no rule that prevents it. After the roll call has been started and there has been a response debate is shut off. But up to that time debate is in order always upon any question that is debatable.

Mr. BRANDEGEE. The Senator has moved to lay the appeal on the table.

Mr. ALDRICH. I did, afterwards.

Mr. BRANDEGEE. That is not debatable.

Mr. ALDRICH. No; it is not debatable.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Rhode Island to lay on the table the appeal from the decision of the Chair.

Mr. LA FOLLETTE. On that I ask for a division.

There were on a division—ayes 33, noes 8.

Mr. ALDRICH. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I transfer my general pair with the senior Senator from South Carolina [Mr. TILLMAN] to my colleague [Mr. STEWART] and will vote "yea."

Mr. OVERMAN (when his name was called). I am paired with the Senator from California [Mr. PERKINS].

The roll call was concluded.

Mr. CLARK of Wyoming (after having voted in the affirmative). I have a general pair with the senior Senator from Missouri [Mr. STONE]. As that Senator is absent, I transfer the pair to the Senator from Nevada [Mr. NIXON] and will allow my vote to stand.

Mr. WARREN (after having voted in the affirmative). I announced early in the evening that I have a general pair with the Senator from Mississippi [Mr. MONYER], but that I would transfer the pair to the Senator from Maine [Mr. FRYE]. I

again make that announcement and will say that may stand for the present session.

The roll call was concluded.

Mr. ALDRICH. I ask that the names of the Senators who have not voted be called.

The VICE-PRESIDENT. The Secretary will call the names of the Senators who have not voted.

The Secretary read the names of the Senators not voting.

Mr. CLAY. I am paired with the senior Senator from Massachusetts [Mr. LODGE], but I believe I will take the liberty of voting for the purpose of making a quorum. I vote "nay."

Mr. OVERMAN. I am paired with the Senator from California [Mr. PERKINS]. As announced heretofore, I transfer my pair to the junior Senator from Massachusetts [Mr. CRANE] and I will vote. I vote "nay."

The result was announced—yeas 35, nays 13, as follows:

YEAS—35.

Aldrich	Clark, Wyo.	Fulton	Nelson
Ankeny	Curtis	Gallinger	Piles
Beveridge	Depew	Gugenheim	Smoot
Brandegee	Dick	Hale	Stephenson
Briggs	Dillingham	Hemenway	Sutherland
Burkett	Dixon	Heyburn	Warner
Burrows	du Pont	Hopkins	Warren
Carter	Elint	Kean	Wetmore
Clapp	Forker	Long	

NAYS—13.

Brown	Gary	Milton	Taylor
Clay	Gore	Overman	
Culberson	Johnston	Paynter	
Daniel	La Follette	Simmons	

NOT VOTING—44.

Allison	Davis	McCreary	Platt
Bacon	Dolliver	McCumber	Rayner
Bailey	Elkins	McEnery	Richardson
Bankhead	Foster	McLaurin	Scott
Borah	Frazier	Martin	Smith, Md.
Bourne	Frye	Money	Smith, Mich.
Bulkeley	Gamble	Newlands	Stewart
Burnham	Hansbrough	Nixon	Stone
Clarke, Ark.	Kittredge	Owen	Tallaferro
Crane	Knox	Penrose	Teller
Cullom	Lodge	Perkins	Tillman

So the appeal from the decision of the Chair was laid on the table.

BUSINESS INTERESTS OPPOSE THE BILL.

The VICE-PRESIDENT. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President, I would not weary the Senate with statistics. I received in my mail this morning a letter which I am sure will be interesting in connection with this discussion. It is dated at New York, May 28, 1908, and is as follows:

SIR: To enact the Aldrich-Vreeland currency bill would be to place machinery of inflation in the hands of the Secretary of the Treasury and the banks and would lead to the greatest political corruption since Rome. We have seen the results of the infallible judgment of an ill-advised Secretary of the Treasury, who, in 1906, by the use of United States Treasury funds to facilitate the importation of gold "to relieve the monetary stringency," inflated the markets of the country and intensified the force of the panic and depression which had to come. We are now suffering from the effects of too much Secretary of the Treasury.

Our present currency system, one which furnishes us with the cheapest and most economic circulating medium yet used by any nation, sufficient for our daily needs, yet forcing a period of inflation to take place upon a currency based dollar for dollar on gold, has worked properly and efficiently. It forced the Standard Oil crowd to their knees, and made the stock gamblers and commodity speculators let go. It has checked the inflation, which if fed with more currency would have gone on expanding till it exhausted the loanable capital of the country and even impaired its operating capital, resulting in a greater congestion of capital and a period of stagnation and depression from which it would have taken years to recover and during which labor would have been scantily employed. This system has reduced the cost of the necessities of life, making the speculators, who by hoarding had forced them to exorbitant figures, sell out, and is now protecting us from a long depression. The common people have benefited, and it is the only protection they have. And now it is to be taken away by the Aldrich-Vreeland political emergency currency bill. The experiences of last fall are infinitely to be preferred to a system which would promote the concentration of wealth in the hands of those managing the new currency and increase the burdens of the common people for the benefit of speculators and prolong these periods of depression.

The men who are urging this new bill might as well urge a currency to be issued by the Standard Oil, redeemed by the steel trust, secured by a prior lien on the New York Stock Exchange, and to bear on its face the picture of John D. Rockefeller and on its back the inspiring motto "Let us alone." It is to be remembered that those who furnish the security get the currency, and what hindrance would a 5 per cent, or even 10 per cent, tax be to those who were making 100 per cent out of "booming the markets" and unloading on a financially ignorant public. The experience of the German nation has proven the fallacy of a tax restricting speculators. It is only the fear of an experience like last fall that forces the bankers to conduct sound business; remove that fear and we will have the wildest inflation this country has ever known.

Respectfully,

A. N. JORDAN,

No. 211 East Thirty-third street, New York City.

HON. ROBERT LA FOLLETTE,
United States Senate, Washington, D. C.

I am not acquainted with the writer. The letter was not marked "personal," and I have taken the liberty of reading it into the RECORD.

I also received in my mail this morning this letter dated at Philadelphia, written upon the letter head and signed by the firm of Paul Brothers, boot, shoe, and rubber dealers, Philadelphia.

PAUL BROTHERS,
Philadelphia.

Senator LA FOLLETTE.

SIR: No legitimate business needs an elastic currency. There is no depression of legitimate business needing an emergency currency. There is no demand from the common people for an emergency currency. There is a demand from the allies of Wall Street—stock speculation gambling—that asks for this ruinous emergency currency to enable the "haves" to issue shinplaster money and loan it for usury to the shorts. Divorce the Treasury from the Wall street gambling syndicate and there will be no panics, as then each will have to depend upon his own resources for means to meet obligations, and thus, being on a level with the common citizen, the chance of using the United States Treasury to rescue the market from ruin will be impossible.

Panics must cease, and just ordinary, common, everyday failures will come and go. And those who gamble and lose will go under, and the rest of the world go on and attend to the ordinary business of the day.

For the sake of all legitimate business, fight this iniquitous emergency currency bill as the most vicious and ill-advised measure ever attempted to be foisted on the masses for the benefit only of the stock-gambling class.

God grant that the honorable Senate may have wisdom and strength to preserve our beloved country from the baneful effects of this monumental effort to aid Wall street at the expense of all legitimate business enterprises of all the rest of the people.

So prayeth your humble servants.

PAUL BROTHERS.

Mr. WARREN. We can not hear the speaker.

The PRESIDING OFFICER (Mr. DIXON in the chair). The Senator from Wyoming asks the Senator from Wisconsin to speak louder. He says he can not hear.

Mr. LA FOLLETTE. I will endeavor to be heard. Of course it would be very easy for the Senator to come over here on this side and get a nearer seat. I know he does not want to miss any of this, and I want to save my voice as much as possible. It might add to the interest of this occasion, as there has been no discussion of any constitutional question involved here, and, as that is always a favorite question with this body, to consider for a few moments in this connection some of the defects of our Constitution as viewed by one of the great jurists of the country. As I desire to keep my audience here fresh and interested, I will vary the programme a little and present to them an address that I am sure it will be quite worth their while to hear.

SOME DEFECTS IN THE CONSTITUTION OF THE UNITED STATES.

AN ADDRESS TO THE LAW DEPARTMENT OF THE UNIVERSITY OF PENNSYLVANIA, DELIVERED ON APRIL 27, 1906.

[By the Hon. Walter Clark, Chief Justice of North Carolina.]

Philadelphia is one of the great cities of the world. To the student of history who remembers that Nineveh and Palmyra, Carthage and Thebes, and many another, have been great, populous, and wealthy, and then have passed entirely away from the thoughts and lips of men, Philadelphia has yet a glory that shall live always. Mohammedanism has its Mecca, the cradle and the acme of its hopes. Jew and Christian alike turn to Jerusalem. But to the utmost verge of earth, and to the last syllable of recorded time, in whatever language liberty and freedom shall be honored among men, in whatever accents government "of the people, by the people, and for the people" shall be asserted, these Philadelphia shall be remembered as the cradle of its birth. Her streets at some far distant day may be overgrown with grass and her ruined and tottering buildings may become the home of bats and birds of night; but around her name will linger a luster that shall never depart.

Here, on July 4, 1776, was proclaimed "Liberty throughout all the land and to all the inhabitants thereof." And here, too, eleven years later, was another notable event, when on September 17, 1787, was issued to the world the Constitution of these United States. It is of the latter—"its defects and the necessity for its revision"—that I shall speak to you to-night.

Just here it is well to call to mind the radical difference between these two conventions. That which met in 1776 was frankly democratic. Success in its great and perilous undertaking was only possible with the support of the people. The Great Declaration was an appeal to the masses. It declared that all men were "created equal and endowed with certain inalienable rights—among them life, liberty, and the pursuit of happiness—to secure which rights governments are instituted, deriving their just powers from the consent of the governed; and that when government becomes destructive of these ends, it is the right of the people to alter or abolish it, and institute a new government in such form as shall seem most likely to effect their safety and happiness." Never was the right of revolution more clearly asserted or that government existed for the sole benefit of the people, who were declared to be equal and endowed with the right to change their government at will when it did not subserve their welfare or obey their wishes. Not a word about property. Everything was about the people. The man was more than the dollar then. And the convention was in earnest. Every member signed the Declaration, which was unanimously voted. As Doctor Franklin pertinently observed, it behooved them "to hang together or they would hang separately."

The convention which met in 1787 was as reactionary as the other had been revolutionary and democratic. It had its beginning in commercial negotiations between the States.

Wearied with a long war, enthusiasm for liberty somewhat relaxed by the pressing need to earn the comforts and necessities of life whose stores had been diminished, and oppressed by the ban upon prosperity

caused by the uncertainties and impotence of the existing government of the Confederacy, the Convention of 1787 came together. Ignoring the maxim that government should exist only by the consent of the governed, it sat with closed doors, that no breath of the popular will should affect their decisions. To free the members from all responsibility members were prohibited to make copies of any resolution or to correspond with constituents or others about matters pending before the convention. Any record of yeas and nays was forbidden, but one was kept without the knowledge of the Convention. The journal was kept secret, a vote to destroy it fortunately failed, and Mr. Madison's copy was published only after the lapse of forty-nine years, when every member had passed beyond human accountability. Only twelve States were ever represented, and one of these withdrew before the final result was reached. Of its sixty-five members only fifty-five ever attended, and so far from being unanimous, only thirty-nine signed the Constitution, and some actively opposed its ratification by their own States.

That the Constitution thus framed was reactionary was a matter of course. There was, as we know, some talk of a royal government with Frederick, Duke of York, second son of George the Third, as king. Hamilton, whose subsequent great services as Secretary of the Treasury have crowned him with a halo, and whose tragic death has obliterated the memory of his faults, declared himself in favor of the English form of government with its hereditary executive and its House of Lords, which he denominated "a most noble institution." Falling in that, he advocated an Executive elected by Congress for life. Senators and judges for life, and governors of States to be appointed by the President. Of these he secured, as it has proved, the most important from his standpoint, the creation of judges for life. The Convention was aware that a constitution on Hamilton's lines could not secure ratification by the several States. But the Constitution adopted was made as undemocratic as possible, and was very far from responding to the condition, laid down in the Declaration of 1776, that all governments derive their just powers from the consent of the governed. Hamilton, in a speech to the Convention, stated that the members were agreed that "we need to be rescued from the democracy." They were rescued. Thomas Jefferson unfortunately was absent as our minister to France and took no part in the Convention, though we owe largely to him the compromise by which the first ten amendments were agreed to be adopted in exchange for ratification by several States which otherwise would have been withheld.

In truth, the consent of the governed was not to be asked. In the new Government the will of the people was not to control and was little to be consulted. Of the three great departments of the Government—legislative, executive, and judiciary—the people were intrusted with the election only of the House of Representatives, to wit, only one-sixth of the Government, even if that House had been made equal in authority and power with the Senate, which was very far from being the case. The Declaration of 1776 was concerned with the rights of man. The Convention of 1787 entirely ignored them. There was no Bill of Rights and the guarantees of the great rights of freedom of speech and of the press, freedom of religion, liberty of the people to assemble, and right of petition, the right to bear arms, exemption from soldiers being quartered upon the people, exemption from general warrants, the right of trial by jury and a grand jury, protection of the law of the land and protection from seizure of private property for other than public use, and then only upon just compensation; the prohibition of excessive bail or cruel and unusual punishment, and the reservation to the people and the States of all rights not granted by the Constitution—all these matters of the utmost importance to the rights of the people were omitted, and were inserted by the first ten amendments only because it was necessary to give assurances that such amendments would be adopted in order to secure the ratification of the Constitution by the several States.

The Constitution was so far from being deemed satisfactory, even to the people and in the circumstances of the time for which it was framed, that, as already stated, only eleven States voted for its adoption by the Convention, and only thirty-nine members out of fifty-five attending signed it, some members subsequently opposing its ratification. Its ratification by the conventions in the several States was carried with the greatest difficulty, and in no State was it submitted to a vote of the people themselves. Massachusetts ratified only after a close vote and with a demand for amendments; South Carolina and New Hampshire also demanded amendments, as also did Virginia and New York, both of which voted ratification by the narrowest majorities and reserving to themselves the right to withdraw, and two States rejected the Constitution and subsequently ratified only after Washington had been elected and inaugurated—matters in which they had no share.

George Washington was president of the Convention, it is true, but as such was debarred from sharing in the debates. His services, great as they were, had been military, not civil, and he left no impress upon the instrument of union so far as known. Yet it was admitted that but for his popularity and influence the Constitution would have failed of ratification by the several States, especially in Virginia. Indeed, but for his great influence the Convention would have adjourned without putting its final hand to the Constitution, as it came very near doing. Even his great influence would not have availed but for the overwhelming necessity for some form of government as a substitute for the rickety "Articles of Confederation," which were utterly inefficient and whose longer retention threatened civil war.

An instrument so framed, adopted with such difficulty and ratified after such efforts, and by such narrow margins, could not have been a fair and full expression of the consent of the governed. The men that made it did not deem it perfect. Its friends agreed to sundry amendments, ten in number, which were adopted by the first Congress that met. The assumption by the new Supreme Court of a power not contemplated, even by the framers of the Constitution, to drag a State before it as defendant in an action by a citizen of another State, caused the enactment of the eleventh amendment. The unfortunate method prescribed for the election of President nearly caused a civil war in 1801 and forced the adoption of the twelfth amendment, and three others were brought about as the result of the great civil war. The Convention of 1787 recognized itself that the defects innate in the Constitution and which would be developed by experience and the lapse of time, would require amendments, and that instrument prescribed two different methods by which amendments could be made.

Our Federal Constitution was adopted one hundred and nineteen years ago. In that time every State has radically revised its constitution, and most of them several times. Indeed, the constitution of New York requires that the question of a constitutional convention shall be submitted to its people at least once every twenty years. The object is that the organic law shall keep abreast of the needs and wants of the people and shall represent the will and progress of to-day, and shall not, as is the case with the Federal Constitution, be hampered by provisions

deemed best by the divided counsels of a small handful of men in providing for the wants of the Government of nearly a century and a quarter ago. Had those men been gifted with divine foresight and created a Constitution fit for this day and its development, it would have been unsuited for the needs of the times in which it was fashioned.

When the Constitution was adopted in 1787 it was intended for 3,000,000 of people, scattered along the Atlantic slope, from Massachusetts to the southern boundary of Georgia.

We are now trying to make it do duty for very nearly 100,000,000, from Maine to Manila, from Panama and Porto Rico to the Pole. Then our population was mostly rural, for three years later, at the First Census, in 1790, we had but five towns in the whole Union which had as many as 6,500 inhabitants each, and only two others had over 4,000. Now we have the second largest city on the globe, with over 4,000,000 of inhabitants, and many that have passed the half million mark, some of them of over a million population. Three years later, in 1790, we had 75 post-offices with \$37,000 annual post-office expenditures. Now we have 75,000 post-offices, 35,000 rural delivery routes, and a post-office appropriation of nearly \$200,000,000.

During the first ten years the total expenditures of the Federal Government, including payments on the Revolutionary debts, and including even the pensions, averaged \$10,000,000 annually. Now the expenditures are 75 times as much. When the Constitution was adopted Virginia was easily the first State in influence, population, and wealth, having one-fourth the population of the entire Union. North Carolina was third, and New York, which then stood fifth, now has double the population of the whole country at that date, and several other States have now a population greater than the original Union, whose very names were then unheard and over whose soil the savage and the buffalo roamed unmolested. Steamboats, railroads, gas, electricity (except as a toy in Franklin's hands), coal mines, petroleum, and a thousand other things which are a part of our lives to-day, were undiscovered.

Corporations, which now control the country and its government, were then so few that not till four years later, in 1791, was the first bank incorporated (in New York), and the charter for the second bank was only obtained by the subtlety of Aaron Burr, who concealed the banking privileges in an act incorporating a water company—and corporations have had an affinity for water ever since.

Had the Constitution been perfectly adapted to the needs and wishes of the people of that day, we would still have outgrown it. Time has revealed flaws in the original instrument, and it was, as might be expected, wholly without safeguards against that enormous growth of corporations, and even of individuals, in wealth and power, which has subverted the control of the Government.

The glaring defect in the Constitution was that it was not democratic. It gave, as already pointed out, to the people—to the governed—the selection of only one-sixth of the Government, to wit, one-half—by far the weaker half—of the legislative department. The other half, the Senate, was made elective at second hand by the State legislatures, and the Senators were given not only longer terms, but greater power, for all Presidential appointments and treaties were subjected to confirmation by the Senate.

The President was intended to be elected at a still further remove from the people, by being chosen by electors, who, it was expected, would be selected by the State legislatures. The President thus was to be selected at third hand, as it were. In fact, down till after the memorable contest between Adams, Clay, Crawford, and Jackson, in 1824, in the majority of the States the Presidential electors were chosen by the State legislatures, and they were so chosen by South Carolina till after the civil war, and, in fact, by Colorado in 1876. The intention was that the electors should make independent choice, but public opinion forced the transfer of the choice of electors from the legislatures to the ballot box, and then made of them mere figureheads, with no power but to voice the will of the people, who thus captured the executive department. That department, with the House of Representatives, mark to-day the extent of the share of the people in this Government.

The judiciary were placed a step still further removed from the popular choice. The judges were to be selected at fourth hand by a President (intended to be selected at third hand) and subject to confirmation by a Senate chosen at second hand. And to make the judiciary absolutely impervious to any consideration of the "consent of the governed," they are appointed for life.

It will be seen at a glance that a Constitution so devised was intended not to express, but to suppress, or at least disregard, the wishes and the consent of the governed. It was admirably adapted for what has come to pass—the absolute domination of the Government by the "business interests" which, controlling vast amounts of capital and intent on more, can secure the election of Senators by the small constituencies, the legislatures which elect them, and can dictate the appointment of the judges, and if they fail in that, the Senate, chosen under their auspices, can defeat the nomination. Should the President favor legislation and the House of Representatives pass the bill, the Senate, with its majority chosen by corporation influences, can defeat it; and if by any chance it shall yield to the popular will and pass the bill, as was the case with the income tax, there remains the judiciary, who have assumed, without any warrant, express or implied in the Constitution, the power to declare any act unconstitutional at their own will and without responsibility to anyone.

The people's part in the Government in the choice of the House of Representatives, even when reinforced by the Executive, whose election they have captured, is an absolute nullity in the face of the Senate and the judiciary, in whose selection the people have no voice. This, therefore, is the Government of the United States—a Government by Senate and judges—that is to say, frankly, by whatever power can control the selection of Senators and judges. What is that power? We know that it is not the American people.

Let us not be deceived by forms, but look at the substance. Government rests not upon forms, but upon a true reply to the question, "Where does the governing power reside?" The Roman legions bore to the last day of the Empire upon their standards the words, "The Senate and the Roman People," long centuries after the real power had passed from the curia and the comitia to the barracks of the Pretorian Guards, and when there was no will in Rome save that of their master. There were still Tribunes of the People, and Consuls, and a Senate, and the title of a Republic; but the real share of the people in the Roman Government was the donation to them of "bread and circuses" by their tyrants.

Years after the victor of Marengo had been crowned Emperor and the sword of Austerlitz had become the one power in France, the French coins and official documents still bore the inscription of "French Republic"—"République Française."

In England to-day there is a monarchy in form, but we know that in truth the real Government of England is vested in a single House of Parliament, elected by the people, under a restricted suffrage; that the real Executive is not the King, but the Prime Minister and his cabinet, practically elected by the House of Commons and holding office at the will of the majority in that House; that the King has not even the veto power, except nominally, since it has not been exercised in a single instance for more than two hundred years, and that the sole function of the House of Lords—a club of rich men representing great vested interests—is in the exercise of a suspensive veto (of which the King has been deprived), which is exercised only till the Commons make up their mind the bill shall pass—when the House of Lords always gives way, as the condition upon which their continued existence rests. So in this country we retain the forms of a republic. We still choose our President and the House of Representatives by the people; but the real power does not reside in them or in the people. It rests with those great "interests" which select the majority of the Senate and the judges.

This being the situation, the sole remedy possible is by amendment of the Constitution to make it democratic and place the selection of these preponderating bodies in the hands of the people.

First, the election of Senators should be given to the people. Even then consolidated wealth will secure some of the Senators; but it would not be able, as now, at all times to count with absolute certainty upon a majority of the Senate as its creatures. Five times has a bill, proposing such amendment to the Constitution, passed the House of Representatives by a practically unanimous vote, and each time it has been lost in the Senate; but never by a direct vote. It has always been disposed of by the chloroform process of referring the bill to a committee, which never reports it back, and never will. It is too much to expect that the great corporations which control a majority of the Senate will ever voluntarily transfer to the people their profitable and secure hold upon supreme power by permitting the passage of an amendment to elect Senators by the people. The only hope is in the alternative plan of amendment, authorized by the Constitution, to wit, the call of a constitutional convention upon the application of two-thirds of the States, to wit, thirty States. More than that number have already instructed in favor of an amendment to elect Senators by the people.

It may be recalled here that in the convention of 1787 Pennsylvania did vote for the election of Senators by the people. A strong argument used against this was that the farming interest, being the largest, would control the House and that the Senate could only be given to the commercial interests by making its members elective by the legislatures—which was prophetic—though the deciding influence was the fear of the small States that if the Senate was elected by the people its membership would be based on population.

It is high time that we had a constitutional convention, after the lapse of near a century and a score of years. The same reasons which have time and again caused the individual States to amend their constitutions imperatively require a convention to adjust the Constitution of the Union to the changed conditions of the times and to transfer to the people themselves that control of the Government which is now exercised for the profit and benefit of the "interests." Those interests, with all the power of their money and the large part of the press which they own or control, will resist the call of such a convention. They will be aided, doubtless, by some of the smaller States who may fear a loss of their equal representation in the Senate. But in truth and justice it may be that there might be some modification now in that respect without injury to the smaller States. There is no longer any reason why Delaware, or Nevada, or Rhode Island should have as many Senators as New York, or Pennsylvania, or Illinois. It would be enough to grant to every State having a million of inhabitants or less one Senator, and to allot to each State having over one million of inhabitants an additional Senator for every million above one million and for a fractional part if over three-quarters of a million. This, while not putting the Senate frankly on the basis of population, would remove the dissatisfaction with the present unjust ratio and would quiet the opposition to the admission of new States whose area and development entitle them to self-government, but whose population does not entitle them to two Senators.

The election of President is now made by the people, who have captured it, though the Constitution did not intend the people should have any choice in naming the Executive. The dangerous and unsafe plan adopted in 1787 was changed in consequence of the narrowly-averted disaster in 1801. But the method in force still leaves much to be desired. It readily lends itself to the choice of a minority candidate. It is an anomaly that 1,100 votes in New York (as in 1884) should swing 70 electoral votes (35 from one candidate to the other) and thus decide the result. The consequence is that while, nominally, any citizen of the Republic is eligible to the Presidency, only citizens of two or three of the larger States, with doubtful electoral votes, are in fact eligible. All others are barred. For proof of this, look at the history of our Presidential elections. For the first forty years of the Union the Presidents came from two States—Virginia and Massachusetts.

Then there followed a period when the growing West requiring recognition, Tennessee, Ohio, and New York commanded the situation for the next sixteen years. The Mexican war gave us a soldier who practically represented no State, and was succeeded by a New Yorker. Then for the only time in our history "off States" had a showing, and Pennsylvania and New Hampshire had their innings. Since then the successful candidates have been again strictly limited to "pivotal States"—New York in the East and Illinois, Indiana, and Ohio in the West.

This condition is unsatisfactory. The magnetic Blaine from Maine was defeated, as was Bryan from Nebraska. Had the former hailed from New York and the latter from Illinois, the electoral votes and influence of those States would have secured their election.

It would be dangerous, and almost a certain provocation of civil war, to change the election of President to a per capita vote by the whole Union. Then a charge of a fraudulent vote at any precinct or voting place, however remote, might affect the result; and as frauds would most likely occur in those States where the majorities are largest—as in Pennsylvania or Texas, Ohio or Georgia—a contest would always be certain. Whereas, now, frauds in States giving large majorities, unless of great enough magnitude to change the electoral vote of the whole State, can have no effect. The remedy is, preserving the electoral vote system as now, and giving the smaller States as now, the advantage of electoral votes to represent their Senators, to divide the electoral vote of each State according to the popular vote for each candidate, giving each his pro rata of the electoral vote on that basis, the odd elector being apportioned to the candidate having the largest fraction. Thus, in New York, Mr. Blaine would have gotten 17 electoral votes and Mr. Cleveland 18. Other States would have also divided, more or less

evenly; but the result would be that the choice of President would no longer be restricted to two or three States, as in our past history, and is likely to be always the case as long as the whole electoral vote of two or three large pivotal States must swing to one side or the other and determine the result. This change would avoid the present evil of large sums being spent to carry the solid electoral vote of "pivotal" States, for there would cease to be "pivotal" States. At the same time this would avoid the open gulf into which a per capita ballot by the whole Union would lead us. While the electoral vote of a State should be divided, pro rata, according to the popular vote for each candidate, it is essential that each State should vote as one district, since its boundaries are unchangeable. To permit the legislature of each State to divide it into electoral districts would simply open up competition in the art of gerrymandering.

By the convention of 1787 the term of the President was originally fixed at seven years and he was made ineligible for reelection. This was reduced to four years by a compromise that he could be reelected without limitation. This was done in the interest of those who favored a strong government and a long tenure. Washington imposed a limitation by his example which will not always be binding. An amendment making the term six years and the President ineligible to reelection has long been desired by a large portion of the public. Indeed, when the constitutional convention of the Union shall assemble, as it must do some day, to remodel our Constitution to fit it to face the dangers and conform to the views of the people of this age, with the aid of our experience in the past, it is more than probable that the powers of the Executive will be more restricted. His powers are now greater than those of any sovereign in Europe. The real restrictions upon Executive power at present are not in constitutional provisions, but in the Senate and Judiciary, which often negative the popular will, which he represents more accurately than they.

And now we come to the most important of the changes necessary to place the Government of the Union in the hands of the people. By far the most serious defect and danger in the Constitution is the appointment of judges for life, subject to confirmation by the Senate. It is a far more serious matter than it was when the Convention of 1787 framed the Constitution. A proposition was made in the Convention—as we now know from Mr. Madison's Journal—that the judges should pass upon the constitutionality of acts of Congress. This was defeated June 5, receiving the vote of only two States. It was renewed no less than three times, *i. e.*, on June 6, July 21, and finally again for the fourth time on August 15, and though it had the powerful support of Mr. Madison and Mr. James Wilson, at no time did it receive the votes of more than three States. On this last occasion (August 15) Mr. Mercer thus summed up the thought of the Convention: "He disapproved of the doctrine, that the judges, as expositors of the Constitution, should have authority to declare a law void. He thought laws ought to be well and cautiously made, and then to be incontrovertible."

Prior to the Convention, the courts of four States—New Jersey, Rhode Island, Virginia, and North Carolina—had expressed an opinion that they could hold acts of the legislature unconstitutional. This was a new doctrine never held before (nor in any other country since) and met with strong disapproval. In Rhode Island the movement to remove the offending judges was stopped only on a suggestion that they could be "dropped" by the legislature at the annual election, which was done. The decisions of these four State courts were recent and well known to the Convention. Mr. Madison and Mr. Wilson favored the new doctrine of the paramount judiciary, doubtless deeming it a safe check upon legislation, to be operated only by lawyers. They attempted to get it into the Federal Constitution in its least objectionable shape—the judicial veto before final passage of an act, which would thus save time and besides would enable the legislature to avoid the objections raised. But even in this diluted form, and though four times presented by these two very able and influential members, this suggestion of a judicial veto at no time received the votes of more than one-fourth of the States.

The subsequent action of the Supreme Court in assuming the power to declare acts of Congress unconstitutional was without a line in the Constitution to authorize it, either expressly or by implication. The Constitution recited carefully and fully the matters over which the courts should have jurisdiction, and there is nothing, and after the above vote four times refusing jurisdiction there could be nothing, indicating any power to declare an act of Congress unconstitutional and void.

Had the Convention given such power to the courts, it certainly would not have left its exercise final and unreviewable. It gave the Congress power to override the veto of the President, though that veto was expressly given, thus showing that in the last analysis the will of the people, speaking through the legislative power, should govern. Had the Convention supposed the courts would assume such power, it would certainly have given Congress some review over judicial action and certainly would not have placed the judges irretrievably beyond "the consent of the governed" and regardless of the popular will by making them appointive, and further clothing them with the undemocratic prerogative of tenure for life.

Such power does not exist in any other country and never has. It is therefore not essential to our security. It is not conferred by the Constitution, but, on the contrary, the Convention, as we have seen, after the fullest debate, four times, on four several days, refused by a decisive vote to confer such power. The judges not only have never exercised such power in England, where there is no written constitution, but they do not exercise it in France, Germany, Austria, Denmark, or in any other country which, like them, has a written constitution.

A more complete denial of popular control of this Government could not have been conceived than the placing such unreviewable power in the hands of men not elected by the people, and holding office for life. The legal-tender act, the financial policy of the Government, was invalidated by one court and then validated by another, after a change in its personnel. Then the income tax, which had been held constitutional by the court for an hundred years, was again so held, and then by a sudden change of vote by one judge it was held unconstitutional, nullified and set at naught, though it had passed by a nearly unanimous vote both Houses of Congress, containing many lawyers who were the equals if not the superiors of the vacillating judge, and had been approved by the President and voiced the will of the people. This was all negated (without any warrant in the Constitution for the court to set aside an act of Congress) by the vote of one judge; and thus \$100,000,000, and more, of annual taxation, was transferred from those most able to bear it and placed upon the backs of those who already carried more than their fair share of burdens of government. Under an untrue assumption of authority given by thirty-nine dead men, one man nullified the action of Congress and the President and the will of 75,000,000 of living people, and in the thirteen years since has taxed

the property and labor of the country, by his sole vote, \$1,300,000,000, which Congress, in compliance with the public will and relying on previous decisions of the court, had decreed should be paid out of the excessive incomes of the rich.

In England one-third of the revenue is derived from the superfluities of the very wealthy, by the levy of a graduated income tax, and a graduated inheritance tax, increasing the per cent with the size of the income. The same system is in force in all other civilized countries. In not one of them would the hereditary monarch venture to veto or declare null such a tax. In this country alone, the people, speaking through their Congress, and with the approval of their Executive, can not put in force a single measure of any nature whatever with assurance that it shall meet with the approval of the courts; and its failure to receive such approval is fatal, for, unlike the veto of the Executive, the unanimous vote of Congress (and the income tax came near receiving such vote) can not avail against it. Of what avail shall it be if Congress shall conform to the popular demand and enact a "rate regulation" bill and the President shall approve it, if five lawyers, holding office for life and not elected by the people, shall see fit to destroy it, as they did the income-tax law? Is such a government a reasonable one, and can it be longer tolerated after one hundred and twenty years of experience have demonstrated the capacity of the people for self-government? If five lawyers can negative the will of 100,000,000 of men, then the art of government is reduced to the selection of those five lawyers.

A power without limit, except in the shifting views of the court, lies in the construction placed upon the fourteenth amendment, which passed, as every one knows, solely to prevent discrimination against the colored race, has been construed by the court to confer upon it jurisdiction to hold any provision of any statute whatever "not due process of law." This draws the whole body of the reserved rights of the States into the maelstrom of the Federal courts, subject only to such forbearance as the Federal Supreme Court of the day, or in any particular case, may see fit to exercise. The limits between State and Federal jurisdiction depend upon the views of five men at any given time; and we have a government of men and not a government of laws, prescribed beforehand.

At first the court generously exempted from its veto the police power of the several States. But since then it has proceeded to set aside an act of the legislature of New York restricting excessive hours of labor, which act had been sustained by the highest court in that great State.

Thus labor can obtain no benefit from the growing humanity of the age, expressed by the popular will in any State if such statute does not meet the views of five elderly lawyers, selected by influences naturally antagonistic to the laboring classes and whose training and daily associations certainly can not incline them in favor of restrictions upon the power of the employer.

The preservation of the autonomy of the several States and of local self-government is essential to the maintenance of our liberties, which would expire in the grasp of a consolidated despotism. Nothing can save us from this centripetal force but the speedy repeal of the fourteenth amendment or a recasting of its language in terms that no future court can misinterpret it.

The vast political power now asserted and exercised by the court to set aside public policies, after their full determination by Congress, can not safely be left in the hands of any body of men without supervision or control by any other authority whatever. If the President errs, his mandate expires in four years, and his party as well as himself is accountable to the people at the ballot box for his stewardship. If members of Congress err, they too must account to their constituents. But the Federal judiciary hold for life, and though popular sentiment should change the entire personnel of the other two great departments of government, a whole generation must pass away before the people could get control of the judiciary, which possesses an irresponsible and unrestricted veto upon the action of the other departments—irresponsible because impeachment has become impossible, and if it were possible it could not be invoked as to erroneous decisions unless corruption were shown.

The control of the policy of government is thus not in the hands of the people, but in the power of a small body of men not chosen by the people and holding for life. In many cases which might be mentioned, had the court been elective, men not biased in favor of colossal wealth would have filled more seats upon the bench, and if there had been such decision as in the income tax case, long ere this, under the tenure of a term of years, new incumbents would have been chosen, who, returning to the former line of decisions, would have upheld the right of Congress to control the financial policy of the Government in accordance with the will of the people of this day and age, and not according to the shifting views which the court has imputed to language used by the majority of the fifty-five men who met in Philadelphia in 1787. Such methods of controlling the policy of a government are no whit more tolerable than the conduct of the augurs of old who gave the permission for peace or war, for battle or other public movements, by declaring from the flight of birds, the inspection of the entrails of fowls, or other equally wise devices, that the omens were lucky or unlucky—the rules of such divination being in their own breasts and hence their decisions beyond remedy.

It may be that this power in the courts, however illegally grasped originally, has been too long acquiesced in to be now questioned. If so, the only remedy which can be applied is to make the judges elective, and for a term of years, for no people can permit its will to be denied and its destinies shaped by men it did not choose, and over whose conduct it has no control by reason of its having no power to change them and select other agents at the close of a fixed term.

Every Federal judgeship below the Supreme Court can be abolished by an act of Congress, since the power which creates a Federal district or circuit can abolish it at will. If Congress can abolish one it can abolish all. Several districts have from time to time been abolished, notably two in 1801; and we know that the sixteen circuit judges created by the judiciary act of 1801 were abolished eighteen months later.

It is true that under the stress of a great public sentiment every United States district and circuit judge can be legislated out of office by a simple act of Congress, and a new system recreated with new judges. It is also true, as has been pointed out by distinguished lawyers, that while the Supreme Court can not be thus abolished it exercises its appellate functions "with such exceptions and under such regulations as Congress shall make" (Const., Art. III, sec. 2), and as Congress enacted the judiciary act of 1789 it has often amended it and can repeal it.

Judge Marshall recognized this in *Marbury v. Madison*, in which case in an *obiter* opinion he had asserted the power to declare an act of Congress unconstitutional, for he wound up by refusing the logical

result, the issuing of the mandamus sought, because Congress had not conferred jurisdiction upon the Supreme Court to issue it.

In 1831 the attempt was made to repeal section 25 of the Judiciary Act of 1789, by virtue of which writs of error lay to the State supreme courts in certain cases. Though the section was not repealed, the repeal was supported and voted for by both Henry Clay, James K. Polk, and other leaders of both of the great parties of that day. But what is needed is not the exercise of these powers which Congress undoubtedly possesses and in an emergency will exercise, but a constitutional revision by which the Federal judges, like other public servants, shall be chosen by the people for a term of years.

It may be said that the Federal judges are now in office for life and it would be unjust to dispossess them. So it was with the State judges in each State when it changed from life judges to judges elected by the people; but that did not stay the hand of a much-needed reform.

It must be remembered that when our Federal Constitution was adopted, in 1787, in only one State was the governor elected by the people, and the judges in none, and that in most, if not all, the States the legislature, especially the senate branch, was chosen by a restricted suffrage. The schoolmaster was not abroad in the land, the masses were illiterate, and government by the people was a new experiment and property holders were afraid of it. The danger to property rights did not come then, as now, from the other direction—from the corporations and others holding vast accumulations of capital and by their power crushing or threatening to crush out all those owning modest estates.

In the State governments the conditions existing in 1787 have long since been changed. In all the States the governor and the members of both branches of the legislature have long since been made elective by manhood suffrage. In all the forty-five States save four (Delaware, Massachusetts, New Hampshire, and Rhode Island), the judges now hold for a term of years, and in three of these they are removable (as in England) upon a majority vote of the legislature, thus preserving a supervision of their conduct which is utterly lacking as to the Federal judiciary. In Rhode Island the judges were thus dropped summarily, once, when they had held an act of the legislature invalid. In thirty-three States the judges are elected by the people, in five States by the legislature, and in seven States they are appointed by the governor with the consent of the senate. Even in England the judges hold office subject to removal upon the vote of a bare majority in Parliament—though there the judges have never asserted any power to set aside an act of Parliament. There the will of the people, when expressed through their representatives in Parliament, is final. The king can not veto it, and no judge has ever dreamed he had power to set it aside.

There are those who believe and have asserted that corporate wealth can exert such influence that even if judges are not actually selected by the great corporations, no judge can take his seat upon the Federal bench if his nomination and confirmation are opposed by the allied plutocracy. It has never been charged that such judges are corruptly influenced. But the passage of a judge from the bar to the bench does not necessarily destroy his prejudices or his predilections. If they go upon the bench knowing that this potent influence, if not used for them, at least withheld its opposition to their appointment, or their confirmation, and usually with a natural and perhaps unconscious bias from having spent their lives at the bar in advocacy of corporate claims, this will unconsciously, but effectively, be reflected in the decisions they make.

Having attempted as lawyers to persuade courts to view debated questions from the standpoint of aggregated wealth, they often end by believing sincerely in the correctness of such views, and not unnaturally put them in force when in turn they themselves ascend the bench. This trend in Federal decisions has been pronounced. Then, too, incumbents of seats upon the Federal circuit and district bench can not be oblivious to the influence which procures promotion; and how fatal to confirmation by the plutocratic majority in the Senate will be the expression of any judicial views not in accordance with the "safe, sane, and sound" predominance of wealth.

As far back as 1820 Mr. Jefferson had discovered the "gapping and mining," as he termed it, of the life-tenure, appointive Federal judiciary, owing no gratitude to the people for their appointment and fearing no inconvenience from their conduct, however arbitrary, in the discharge of such office. In short, they possess the autocratic power of absolute irresponsibility. "Step by step, one goes very far," says the French proverb. This is true of the Federal judiciary. Compare their jurisdiction in 1801, when Marshall ascended the bench, and their jurisdiction in 1906. The Constitution has been remade and rewritten by the judicial glosses put upon it. Had it been understood in 1787 to mean what it is construed to mean to-day, it is safe to say that not a single State would have ratified it.

An elective judiciary is less partisan, for in many States half the judges are habitually taken from each party, and very often in other States the same men are nominated by both parties, as notably the recent selection by a Republican convention of a Democratic successor to Judge Parker. The organs of plutocracy have asserted that in one State the elective judges are selected by the party boss. But they forget that if that is true, he must in such a condition of affairs name the governor, too, and through the governor he would select the appointive judges. If the people are to be trusted to select the executive and the legislature, they are fit to select the judges. The people are wiser than the appointing power which, viewing judgeships as patronage, has, with scarcely an exception, filled the Federal bench with appointees of its own party. Public opinion, which is the corner stone of free government, has no place in the selection or supervision of the judicial augurs who assume power to set aside the will of the people when declared by Congress and the Executive. Whatever their method of divination, equally with the augurs of old they are a law to themselves and control events.

As was said by a great lawyer lately deceased, Judge Seymour D. Thompson, in 1891 (25 Am. Law Review, 288): "If the proposition to make the Federal judiciary elective instead of appointive is once seriously discussed before the people, nothing can stay the growth of that sentiment, and it is almost certain that every session of the Federal Supreme Court will furnish material to stimulate that growth."

Great aggregations of wealth know their own interests, and it is very certain that there is no reform and no constitutional amendment that they will oppose more bitterly than this. What, then, is the interest of all others in regard to it?

Another undemocratic feature of the Constitution is that which requires all Federal officials to be appointed by the President or heads of departments. This is a great evil. Overwhelming necessity has compelled the enactment of the civil-service law, which has protected

many thousands of minor officials. But there has been no relief as to the 75,000 postmasters. When the Constitution was adopted there were only 75 postmasters, and it was contemplated that the President or Postmaster-General would really appoint. But this constitutional provision is a dead letter. The selection of this army of 75,000 postmasters, in a large majority of cases, is made by neither, but in the unconstitutional mode of selection by Senator, Member of the House, or a political boss.

There is no reason why Congress should not be empowered by amendment to authorize the Department to lay off the territory patronizing each post-office as a district in which an election shall be held once in four years, at the time a Member of Congress is chosen, and by the same machinery, the officer giving bond and being subject to the same supervision as now. Thus the people of each locality will get the postmaster they prefer, irrespective of the general result in the Union, relieving the Department at Washington of much call upon its time, which can be used for the public interest in some better way; and, besides, it will remove from the election of President and Members of Congress considerations of public patronage. Elections will then more largely turn upon the great issues as to matters of public policy.

Another obstruction to the effective operation of the popular will is the fact that, though Congressmen are elected in November, they do not take their seats (unless there is a called session) for thirteen months, and in the meantime the old Congress, whose policy may have been repudiated at the polls, sits and legislates in any event till March 4 following. This surely needs amendment, which fortunately can be done by statute. In England, France, and other countries the old parliament ceases before the election, and the new assembly meets at once and puts the popular will into law.

In thus discussing the defects of the Federal Constitution I have but exercised the right of the humblest citizen. Few will deny that defects exist. I have indicated what, in my opinion, are the remedies. As to this, many will differ. If better can be found, let us adopt them. But could the matter be more appropriately discussed than on the spot where the original Constitution was debated?

For my part, I believe in popular government. The remedy for the halting, halfway popular government which we have is more democracy. When some one observed to Mr. Gladstone that the "people are not always right," he replied, "No; but they are rarely wrong." When they are wrong, their intelligence and their interests combine to make them correct the wrong. But when rulers, whether kings, or life judges, or great corporations, commit an error against the interest of the masses, there is no such certainty of correction.

The growth of this country in population and in material wealth has made it the marvel of the ages.

"But what avail the plow or sail,
Or land or life, if freedom fail?"

The government and the destinies of a great people should always be kept in their own hands.

Mr. President, I have read since the beginning of this session many editorials discussing business conditions and the panic. We have all of us read and have heard criticism of the President. Repeatedly the charge has been laid at his door that his policies, his recommendations, his public utterances, have produced the conditions which caused the panic. Whatever one may believe as to the cause of the panic, this editorial which I have from Puck, it seems to me, suggests the right attitude to be taken regarding the disturbed business conditions and the great questions which confront the American people and this Congress. The editorial is entitled "Full steam ahead." I will read it:

"FULL STEAM AHEAD!"

Some people do not understand Puck. They think it is our pleasure, or our peculiar duty, to laugh at everything and everybody. Nothing of the sort.

The men who put this paper together mean business. We appreciate a good joke; we know a good joke when we see one; and whether anybody else will see it, we do not pause to consider—we seek no levels of intelligence, aim at no "average reader." But we also know that the only humor that is worth while—the only humor that ever was worth while—is the humor that has a serious foundation. In addition to a sense of humor we have certain convictions of what is right and wrong in government, in business, in life. And that is why we do not choose, or feel obliged, to laugh at everything and everybody. Take the cartoons, for example. Sometimes they are intended to be humorous; more frequently they are not so intended. In short, when this paper is serious it expects to be taken seriously; when humorous—you may take it as you please.

We wish to add that at no time in its career has Puck been more in earnest than the present, at no time has jocularity had a more serious basis. We believe that the men who have discovered wrong and injustice and cried it aloud have rendered their country an incalculable service, and, further, that there never was greater need of their labors than at the present moment, when a half-awakened public conscience is debating whether to turn over and go to sleep again.

Not "Slow down!" but "Full steam ahead!" is the command of a clear conscience and a sound head. We believe that, absolutely. For this reason: If the experiment of democracy in this country is not to end in crash and failure, the Republic must be rebuilt, or rebuilt, on lines of rigid honesty. No compromise! Compromise is a serviceable weapon, but this is not the time for it. This is the time for the naked sword of Honesty. That now—or the torch of revolution for our children.

Business has been hurt; yes. Business may be further hurt; yes, again. But we are taking our share of the hurt. Take yours. Puck has no respect for business, big or little, that is not honest business. Neither have you—nor you. Then, why not say so? That is all that is necessary—enough people saying a thing. It goes then.

Puck's motto is, "What fools these mortals be!"—not "What knaves!" Fools we may be; but here and there a wise man lifts his voice, and Puck gives ear and stretches out a hand. We are for the cause—your cause. And our wish, our purpose, is to extend, as far as lies in our power, the influence of the men who are battling for honest government in the best country under the sun.

Mr. President, I have before me a work entitled "American Finance," by W. R. Lawson, author of "Spain of To-day," "American Industrial Problems," "British Economics," "Regu-

lating the Money Market," the "Bank of England," etc. Mr. Lawson is one of the leading contributors to the Bankers' Magazine and to London and American periodicals upon finance and economics. As related to the subject under discussion, I read from a chapter entitled "The Millionaire Moloch," and I will read it as having some application to the bill under consideration.

"THE MILLIONAIRE MOLOCH."

Though President Roosevelt is not and never has been a financier, he is one of the most prominent and powerful figures in the financial world to-day. He has entered it not as a reorganizer, or a consolidator, or a merger man, but as a crusader. The late Speaker of the House of Representatives, "Tom" Reed, said of him in the early part of his career, that he had the greatest pleasure in regarding himself as the discoverer of the Ten Commandments. If "Tom" Reed had lived to witness the President's latest crusade against the "trusts" he might have admitted that new discoverer of the Ten Commandments was making good use of them.

In his strenuous championship of the "square deal" against "trust" and "ring" methods, Mr. Roosevelt is working himself up to a state of biblical fervor. He is, unconsciously perhaps, producing an American parallel to the commencement of Josiah's reign over Judah. Josiah's predecessors had, like the oil and iron kings of our own day, "done evil in the sight of the Lord." Among their other iniquities they had served heathen idols and worshipped them. Close to Jerusalem itself they had set up altars to strange gods; "to Ashtoreth, the abomination of the Zidonians; to Chemosh, the abomination of the Moabites, and to Moloch, the abomination of the children of Ammon." All these heathen temples the royal reformer Josiah forthwith destroyed. "He brake in pieces the images and cut down the groves and filled their places with the bones of men." If Mr. Roosevelt were to carry out this Hebrew analogy to the letter, he would have the Chicago packing houses converted into cemeteries.

The most greswome of the heathen gods whom Josiah thus rudely disestablished was Moloch. He has been described as a "calf-headed brazen image, in which children were burned alive." In order to reach this terrible death, the victims had to pass through outer circles of fire. The name "Moloch" is thus not one to be used in modern society unless under strong provocation. It has been applied of late to the Chicago meat packers and other classes of millionaires, who apparently would risk the lives of their fellow-beings rather than miss a dollar of profit.

The "millionaire Moloch" has in the recent fat years been so gorged with sacrifices that we might expect him to feel satiated, but apparently his appetite grows with what it feeds on. Every new million he devours only makes him more voracious. It is quite possible to conceive of millionaires making good use of their wealth. They may even administer it with greater benefit to society at large than a hundred other men could do were it divided equally among them. They may be, and often are, a conservative factor in the social systems to which they belong. They may even be, though they seldom are, bulwarks of sound finance. But the new race of multimillionaires in the United States has few such redeeming features.

The "millionaire Moloch," as exhibited in Wall street and Chicago, is a destructive, not a conservative, force. When a man accumulates only for himself, the chances are that it will be all scattered again at his death. When he sacrifices everybody else to his own enrichment he is simply a financial juggernaut. Those whom he tramples down in cold-blooded greed may often be better men than himself, wiser men, and more useful citizens. What does he ever amount to from a public point of view? What is he apart from the millions he heaps up? What effect has the heaping up of millions on his own mind and soul? Let the billion-dollar "trusts" of five years ago (1901), the life insurance scandals of last year, and the meat-packing exposures of the past few months bear witness. They are characteristic landmarks in the progress of the "millionaire Moloch." They show that he is fast losing the elementary qualities of manhood, and becoming a purse-proud ghoul.

"Frenzied finance" is not in my line—I leave it willingly to my Boston namesake. Neither have I any taste for the horrors of "The Jungle." The "millionaire Moloch" is to me a mere freak of high finance, a passing accident of exceptional circumstances and conditions. The worst thing about him is the merciless hold he has got on the staple industries of the country, and on its reserves of raw material. While he retains that hold he has the American people at his mercy. As producers, traders, and consumers, they are completely in his power. If the nations reserves of raw material were as unlimited as the spread-eagle American believes them to be, there might be no immediate danger in a monopoly of them. But their exhaustion, or at least a serious diminution of them, is no mere academic question. It may within a generation or two become a business proposition and have to be treated accordingly.

Some nations die of creeping paralysis, while others prefer the nobler alternative of a general smash up. There is nothing paralytic about American finance, nor is there ever likely to be. But it has vast and varied possibilities of internal convulsion. Its explosive risks are double those of other nations. They threaten it from above as well as from below. Of the two the anarchists on top are much more dangerous than those at the bottom. The most formidable bomb that has yet been manufactured can spread death and destruction over only a limited area. It is reserved for the millionaire anarchist to make havoc of national interests and industries.

There is no call on us for Rembrandt portraits of Wall street ogres, or lurid details of their secret conspiracies. Such revelations, whether true or false, can only yield ephemeral gratification to a morbid curiosity. The ogre himself and his future possibilities are the true objects of interest, not his secret maneuvers and adventures. Bearing in mind that essential distinction, I do not turn aside to revel in the "muck-rake" episode of the past few months. The previous chapters have been written to a running accompaniment of sensational scandals—life insurance, railroad rebates, Chicago meat packers, and many other smaller fry. It would have been easy to work up spicy narratives out of such a glut of salacious material, and to offer them as typical of American finance of to-day. But let us hope that such episodes are only for to-day, and that their blighting influence will not extend far into the future.

On the other hand, it is to be feared that the "millionaire molochs" have got such a firm hold not only on the financial machinery of the United States but on all the staple trades and industries that no ordinary effort will ever shake them off. They have so many opportunities of tightening their grip and of stretching out their tentacles farther

and father that there is no immediate prospect of its being relaxed. The coming generation are probably destined to feel the iron grip of the millionaire grip more keenly than any of us have ever done. It is this threatened growth of his malign power that renders him alarming. So far we have only seen him in his cradle where he has reversed a mythical rôle of Hercules and the Serpent. In the American edition of this classical fable, it is the Serpent that strangles Hercules. The thrilling question is, What is he to be when full grown?

Imagination reels at the thought of a second generation of Morgans, Harrimans, and Schwabs wielding inherited millions with an accumulation of inherited skill and daring. The financial feats of their fathers may seem mere child's play to them—the rudiments of an art whose evolution has only begun. It will no longer be enough for them to control one or two departments of national life. They will be continually reaching out for more until the whole nation is brought within their toils. I can remember when the modest ambition of a Wall street banker was to get on the board of a trunk railroad. It was a point of vantage for him in many ways. When a little "pool" went wrong it could be passed on to the railroad, and when the railroad had anything cheap to sell another little "pool" could be formed to buy it and dress it up for the public.

The railroad reorganizations of 1894-1896 filled not a few pockets in Wall street with bursting. Wall street itself was so carried away by the prosperity they helped to create that stocks had only to be hoisted fast enough in order to attract buyers. New millionaires sprung up faster than mushrooms, while old millionaires found themselves literally overwhelmed by floods of fresh wealth. Anything in the way of financial conjuring became possible. Combinations, conversions, "communities of interest," mergers, pools, syndicates all called out for some one to come forward and perform them. They were as easy as playing poker, and every one of them had millions in it. From 1897 to 1903 Wall street gave itself up to a carnival of financial wizardry. It had begun with the railroads, but it did not stop there long. Very soon the insurance companies were drawn into it. The banks, of course, could not resist the temptation. Nor could the trust companies. The churches kept out of it with difficulty and were much divided in opinion as to the propriety of accepting "tainted money." The hotel lobbies and the drinking saloons had no theological scruples. They hung over the ticker as if the fate of the country depended on it. Congress was not indifferent to the great game of speculation going on all around it. Neither Senators nor Representatives were mere academic observers of the rise and fall of prices. The remotest State legislature exchanged a good deal of wireless telegraphy with New York. The latest development of the speculative fever is said to be among western farmers. Instead of putting their savings on deposit in the local banks, as they used to do, they now intrust them to a "commission house" for a flutter in stock.

Under the fascination of this wide-spreading craze the Americans are becoming a nation of speculators. They may retort on us that speculation in wheat and stocks is at least more dignified and rational than universal betting on horse races. So it is, but it may for that very reason be much more dangerous to the nation. Betting in England is the vice of working men and boys, who have not much to lose by it. Among the educated and propertied classes it is comparatively rare. Speculation in America is much more extensive. All classes are more or less under its spell, and the amount of money staked on it is beyond comparison larger than what is staked in England on the turf.

Between speculation and betting there is another cardinal difference. Betting is simply a personal vice, the effects of which are limited to the bettors and their families. But speculation of the American sort in lands, stocks, produce, and property of every kind affects the entire community. It diverts trade from its natural course. It disturbs all the normal operations of business. It creates false markets and fictitious prices. It offers an irresistible temptation to organize the industries of the country on a speculative rather than on a commercial basis. Every business concern is capitalized with an eye to Wall street, and Wall street too often has the chief voice in its management.

Worst feature of all in a speculative state of society is the predominant power possessed by the moneyed interest. This would be a fatal drawback even if the moneyed interest was scrupulously fair and honest. In any kind of a gamble the long purse has a great advantage over the short purse, from the mere fact of being able to hold out longer. But when the moneyed interest has, as appears to be the case in America, no scruple, no sense of fairness, not even common honesty, to say nothing of moral shame, it becomes a case of professional sharpers against amateur punters. Can there be a shadow of doubt as to the issue? A rage for colossal speculation must sooner or later bring disaster on any community, however wealthy. But colossal speculation conceived in fraud and inventing rogueries at every turn may threaten shame as well as ruin.

If the colossal speculators were a class by themselves who rooked each other and said no more about it, there would be some hope of their dying out in time. But the Napoleonic operators in Wall street are not mere gamblers. They are also the financial leaders of the nation, its bank presidents, its railroad directors, and the heads of its great industrial organizations. They have a finger in every pie—social, political, and commercial. Wherever there is an honest profit to be got, they have the first chance of it. But that is not enough for them. They are continually scheming for unfair advantages and secret "pulls" over other traders. The meanest tricks and dodges are resorted to against competitors. And when all else fails, they can stoop to the grossest forms of corruption.

Any self-respecting man would be ashamed to avail himself of all the special advantages which American law heaps on the capitalist as such. If he happens to be a manufacturer he is protected to the extent of 20, 40, 60, or 100 per cent; he gets rebates of 40 or 50 per cent on all the traffic he gives to the railroads; he is allowed a drawback of 90 per cent on all the foreign material he works up and reexports; he can, if he likes, charge one price for his goods at home and another price abroad. If he is a banker, he can claim a share of the Treasury deposits; he has a free hand to rake in money from the public, and use it for speculation; he is also free to organize speculative pools and syndicates, to conduct bull campaigns, and to assist in financing his bullish confederates. If he is an insurance director, he can see that his insurance company keeps large cash balances for his bank, or his railroad, or his soap trust to draw upon for their little deals.

Any reasonable man should be satisfied with such a long start over his competitors. The heathen Chinese could have won every game with only half as many cards up his sleeve as a millionaire operator has all the time. No human being, therefore, has less excuse than the millionaire operator for sharp play. With such chances as his it should be almost impossible for him to miss anything in sight. The wonder is that he should think it worth his while to be a sharper. As

to the fact, however, there can unfortunately be no doubt. One sickening revelation after another demonstrates it. Rather than miss a cent he will bribe, cheat, and lie for it. Formerly he only fleeced the public, but now he poisons them at the same time.

Men of this stamp are the millionaires of Wall street, the so-called money power of the country. They have a very large proportion of the national wealth in their keeping, and can use or abuse it as they please. The millions they play with are not their own; 70, 80, or it may be as much as 90 per cent of the money is borrowed. They have time loans and call loans running at different banks. One pool they may finance in New York, another in Boston, and another in Chicago. Apart from these they may have blocks of stock pawned in London, Paris, and Amsterdam. Their simple and innocent rule is to borrow at every open door, and they never stand on matters of form. If they can not raise a loan they will negotiate a bill or coax an acceptance out of some foreign bank. It is literally true at the present moment that the big plungers in Wall street have their hands in everybody's pocket. They owe Europe a few hundred million dollars as a small supplement to their home loans.

Mr. President, I believe that this legislation will operate to increase that power. What ten banks will be organized into the national association which will be formed in New York City? It will be composed, of course, of the two leading groups of banks of that city. Under this proposed measure no other banking association can be formed in New York City. Those banks will control the situation. Their board of directors, the three men constituting the executive committee, the real power in that organization, will be men whose interest it is to make war on and gather in different banks that seek admission to that organization, and sooner or later to take them over just as they in the last panic took over and absorbed certain banks in New York. This writer says further:

However many fortunes may be made in this way, no nation can ever be permanently enriched by them. It is more likely to be impoverished, for they are signs of decay and not of progress, they are suicidal elements in national economy. Lest this should be considered too sweeping a judgment, I hasten to qualify it with the remark that it applies only to the Wall street section of the millionaire oligarchy, there being honest millionaires, doubtless, but not many of them frequent Wall street. When they go there, it is neither for their health nor for the public good.

Besides being a colossal gambler, the Wall street millionaire has another peculiarity that bodes ill for the future of the nation. He is a born and ingrained monopolist. His keenest pleasure is to feel that he has left nothing behind him for anyone else. A Rockefeller will spend his whole life in building up a monopoly that defies law and decency alike. He makes himself a human boa constrictor, whose movements are watched with fascinated horror as he swallows his victims one after another. A Steel Trust will deliberately set itself to capturing all the chief sources of its raw material, and every year it recounts with pride the thousands of acres of iron deposits that have been added to its territory. It may require only another ten or twenty years to corral all the best iron ore in the United States.

With the acquisition of the holdings of the Tennessee Coal and Iron Company the United States Steel Company has to-day practical control and ownership of 90 per cent of all of the known iron-ore deposits of this country. This writer continues:

By that time, too, all the copper ore worth mining may be in the hands of one omnivorous combine; the cotton crop may be pooled by a planter's ring; west of the Mississippi there may be a minimum price for wheat, and the acreage sown may be carefully regulated in order to maintain it.

Mr. President, I am rather reluctant to surrender the floor for the time being, but as others desire to speak and are in waiting, I yield the floor for the present.

Mr. ALDRICH. Mr. President, I hope we shall be able to get a vote upon the conference report without further discussion, and I ask that a vote be taken by the yeas and nays.

The VICE-PRESIDENT. The Senator from Rhode Island asks that the vote upon the adoption of the conference report be taken by yeas and nays.

Mr. STONE. Mr. President—

Mr. ALDRICH. I have not yielded the floor, Mr. President. The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Missouri?

Mr. ALDRICH. I do not.

The VICE-PRESIDENT. Is there a second to the demand for the yeas and nays?

Mr. STONE. Mr. President, I desire to discuss the conference report.

Mr. ALDRICH. That is all right. Was there a second to my demand for the yeas and nays?

The VICE-PRESIDENT. In the opinion of the Chair there was a second.

Mr. ALDRICH. Now I yield to the Senator, if he desires to discuss the report.

The VICE-PRESIDENT. The Senator from Missouri.

Mr. STONE. Mr. President, I desire to make a parliamentary inquiry.

The VICE-PRESIDENT. The Senator from Missouri rises to a parliamentary inquiry. He will state his parliamentary inquiry.

Mr. STONE. The Senator from Rhode Island stated that he desired to have a vote on the report, and that it should be a yeas-and-nays vote, and he asked for a second.

Mr. CLAPP. We can not hear the Senator. I trust he will speak a little louder.

Mr. STONE. The Chair said there was a second. My inquiry is to ascertain from the Chair just what the status of the measure is under that request.

The VICE-PRESIDENT. The Chair did not hear the Senator from Missouri distinctly. Will he kindly repeat his request?

Mr. STONE. I should like to know what progress was made by the request of the Senator from Rhode Island, which the Chair said was seconded.

The VICE-PRESIDENT. The demand being made by the Senator from Rhode Island, the Chair asked if there was a second. The Constitution requires that the yeas and nays shall be taken upon the desire of one-fifth of the Senators present. More than one-fifth of the Senators present seconded the demand. The Chair recognizes the Senator from Missouri.

Mr. STONE. I gather from what the Chair says that we are about where we were before the request was made.

Mr. ALDRICH. Just a little further ahead.

Mr. STONE. Mr. President, in one of the morning papers I find a statement that the junior Senator from Arkansas [Mr. DAVIS] has sent me a telegram in this language:

Hold the fort, for I am coming.

I desire to say that I have not received any such telegram from the Senator from Arkansas, or any telegram whatever from him. The statement in this journal, therefore, is the creation of an active reportorial imagination.

Mr. President, an impression seems to have gone forth—

Mr. SCOTT. I have no doubt the Senator is saying something important, but we can not hear it.

Mr. STONE. I fear I can not employ a sufficient volume of voice to reach the ears of the Senator from West Virginia. If he is sufficiently interested in my remarks to wish to hear them, he will have to come forward. I can not go back.

An impression has gone abroad that there was a disposition on the part of some Senators to adopt filibustering methods to defeat the passage of this measure.

I am inclined to think that some Senators even have that impression. They act as if they had, and speak as if they had. So far as I am concerned I have no desire to engage in methods of that kind or to unduly delay the Senate in the transaction of its business. But I do think that this is a measure which ought to be very deliberately and exhaustively discussed. The attention of the country ought to be fixed upon it and it ought to be thoroughly understood by the people everywhere. It is a piece of vicious legislation, the worst we have had before the Congress for many years.

However, filibustering, in the full meaning of that term, can hardly be defended, much less justified, except when some great constitutional question involving the integrity of our institutions and the liberties of the people is at issue. It can not properly be resorted to and persisted in to defeat mere economic measures of legislation merely because we may regard them as unsound and extremely bad. But a measure like that now before the Senate should be kept here and held up to public attention long enough to enable the people of the country to understand what it means. I will go further and say that if any economic question would justify methods intended to procrastinate and to defeat legislation by delay it seems to me we have that question before us now. Still it is not my purpose to press this fight beyond reasonable limits.

Mr. President, I have been asked if I intend to follow the "filibusterer," so called, from Wisconsin. I am cooperating with him now. Moreover, I am willing to say that in this instance I am following his leadership.

The Senator from Wisconsin is a Republican, eminent in his party councils. He represented for a number of years a Republican constituency in the House, was afterwards the Republican governor of his State, and now holds a commission in this body by Republican favor. When a Republican leader of such long public service and distinguished ability rises in the Senate not only to protest, but to make open and aggressive war against a measure of legislation like this brought in here now as a party measure, when he evinces courage enough to denounce it as vicious and dangerous and thus excite the hostility of his party associates, I am willing not only to cooperate with him, but to accept and within reasonable limits to follow his leadership.

The Senator from Wisconsin often expresses views I do not accord with. He does some things in public life that do not have my approval. But in this instance I am in accord with his purpose to expose this bill and, if possible, to defeat it. I do not suppose it will be defeated. I do not think it will be. But it ought to be. It will not be defeated, because the Re-

publican House has already passed it and because the Republican Senators who control this body are determined to pass it, and because the President is ready to sign it.

However, it will not be passed, and should not be, after only a mere perfunctory opposition to it. The country must know what the bill is, and it must be discussed long enough to rivet public attention upon it to the end that later an enlightened public judgment may be pronounced upon it.

Mr. President, there is a point on which I desired to address myself more particularly to my Democratic colleagues, but they do not seem to be here. Am I at liberty under the rules to suggest the absence of a quorum?

Mr. ALDRICH. Mr. President, I would suggest that it is clearly not permitted under the decision of the Senate.

Mr. STONE. There has been intervening business.

Mr. ALDRICH. Not that I know of.

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). The Chair does not understand that there has been any intervening business.

Mr. STONE. The Chair rules that it can not be done?

The PRESIDING OFFICER. The Chair rules that it can not be done at this time.

Mr. STONE. Well, I will say what I wanted to say anyhow. I will speak to the absent ones.

Mr. BURKETT (in his seat). Give them absent treatment.

Mr. STONE. I will give them absent treatment. I see two Democratic Senators on the floor and ten Republican Senators—twelve in all.

Mr. BURKETT. Mr. President, if the Senator will permit me, I will say that he perhaps does not realize that during the last few weeks the Senators on both sides of the Chamber have been carefully attending to the duties here. The Senator may not have observed it, as he has been away of late, but they have been attending the sessions very closely and have been working very hard, I will say to the Senator, on a good many matters of importance, and especially on this bill. I suppose in a good many years there has not been as close attention to the public duties, both day and night, as there has been very recently in the Senate. That may account, I will say to the Senator, for the absence this morning of some of his Democratic colleagues and also of some Republicans. It is not fair to have the Senate as a whole charged with any lack of attention to public business without having some sort of explanation made. Since the Senator himself, having been absent, has not perhaps been personally cognizant of the close attention that the Senate has been giving to this question.

Mr. STONE. I am glad that the Senator from Nebraska has spoken a word in defense of the Senate; and, whatever else he accomplishes by that vigorous statement, it is now made manifest in the Record that he was one of the ten present on the other side. Mr. President, I have been at home for a week—

Mr. BURKETT. Mr. President, if the Senator will permit me—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. STONE. I am always glad to yield.

Mr. BURKETT. I did not have that intention, I will say to the Senator, for we have had abundance of opportunity in the last twenty-four hours to demonstrate our presence. That was not my object. My object in rising was to have it go into the Record that there are at least some of us who are not guilty of the conviction the Senator has made in his remarks of inattention to this bill. There are some of us who for the last seven or eight weeks have been staying here and studying this legislation and giving it attention. While it may not be satisfactory, nevertheless it is not the result of inactivity or lack of attention; and while there may be some, perhaps, who have been away necessarily, as the debate in the last few hours has shown, they have not realized just the work that has been given by those who have stayed.

That was my intention in rising. It was to call to the attention of the Senator the fact that this matter had been given consideration and that there are some who were absent during that time.

Mr. ALDRICH. Will the Senator yield to me for a moment?

Mr. STONE. I am delighted to yield.

Mr. ALDRICH. I think the entire absence of the Senator's Democratic colleagues is owing to the fact that they were not aware he was going to speak on this subject this morning.

Mr. STONE. Mr. President, the Senator from Rhode Island is facetious. If he has any reputation for signal ability in any special line, it is of being a wit. I thank him for his witty compliment, which I know was entirely sincere. Sincerity, by the way, is another distinguishing trait of the Senator from Rhode Island.

Mr. GORE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Oklahoma?

Mr. STONE. Certainly.

Mr. GORE. I merely desire to suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The suggestion is not in order at this time.

Mr. GORE. If I am in order, I appeal from the decision of the Chair.

Mr. ALDRICH. The Senator can not appeal from a suggestion that can not be made.

The PRESIDING OFFICER. The Chair thinks an appeal is not in order.

Mr. GORE. What is the ruling of the Chair?

The PRESIDING OFFICER. The Chair holds that an appeal is not in order.

Mr. GORE. I submit that the very object of the appeal is to see whether the suggestion was in order or out of order. This is an arbitrary proceeding and it ought not to be indulged here or elsewhere. It is absolutely without precedent in this, or, I believe, in any other branch of the Government. Is it only questions that are in order from which a Senator can appeal? No appeal would lie in those cases, because none would be desired.

Now, sir, I appeal from the decision of the Chair, to determine the very question as to whether or not the suggestion was in order. The Senator from Missouri has commenced speaking since the ruling of the Chair on this point before.

The PRESIDING OFFICER. The Chair has already held that the appeal of the Senator is not in order. The Senator from Missouri will proceed.

Mr. STONE. Mr. President, we are making progress in the Senate. We have got to a point where the Chair can deny an appeal to the body of the Senate. A Senator rises and makes a point of order. The Chair says that he is wrong. Then the Senator asks to take the judgment of the Senate upon it, and the Chair says he can not do it and he will not be permitted to do it. We are making progress, and I suppose that the next step will be a previous question or a cloture rule.

The Senator from Nebraska [Mr. BURKETT] spoke a moment ago in defense of the Senate. If we go on at this rate it will need defense, and you know it. There is not a Senator sitting over there who does not know that you are using force for the exigency of this moment, but, remember, it may come home later to plague you.

Mr. BURKETT. Mr. President, I want to be clearly understood. I only spoke in defense of the Senators who have been attending the Senate for the last several weeks. That was all of my remark.

Mr. STONE. Well, Senators who attend the Senate need not to be defended or apologized for on that account.

Mr. President, if it subjects me to criticism to say that I follow the lead of the Senator from Wisconsin [Mr. LA FOLLETTE] because he is a Republican, I am more than willing to take the consequences of the criticism. I wish my Democratic colleagues around me, or who ought to be around me, but whose seats are vacant, would stand here in the Senate to speak against this legislation and fight it as it ought to be fought.

Mr. President, I have said this is bad legislation. That is an opinion quite generally concurred in, if we can judge by the editorial expressions of many of the leading newspapers of the country. I have here an editorial from the Philadelphia North American that I want to read. It is as follows:

THE CURRENCY CRIME.

"Dead and damned!" was the epitaph which a famous Democratic editor once wrote at the close of a Democratic Congress which had proved itself the enemy of the common interest and the servant of public enemies.

Are there not three or four Republican Senators big enough, broad enough, farsighted enough, and sufficiently patriotic to save us the humiliation of being compelled by honesty to repeat that epitaph when this present Congress dies—none too soon?

Are there as many as three or four? One has spoken; only one. Is he the only Republican Senator who stands against this iniquity? One of your great journals is crying out to you, and so far there is but one response from the Republicans of this body—

The Republican party is about to go before the people with the mongrel, hybrid, cheating, swindling thing labeled the "Aldrich-Cannon currency bill" as its claim to the ballots of American workers and business men, already long-suffering and embittered victims of the gamblers of New York.

It has been whipped through the House, to the shame of the men who have stilled their own convictions and crouched cowards under the lash of the vulgar tyrant in the Speaker's chair for fear of his threat to deprive them of their slices from "the pork barrel"—their appropriation in the omnibus building bill.

It will be whipped through the Senate in like fashion, in all likelihood, thanks to the feebleness of the Democratic minority, playing the donkey's rôle as usual in their inability to see the chance to gain favor by a filibuster that would be patriotic statesmanship.

Worst of all, we believe that Roosevelt will make the bill a law by signing it. He will hurt his country and his party not because of lack of courage or of good intent. He will do this sin because of lack of understanding.

In grasp of financial questions he is an infant. He trusted Cortelyou. That was excusable. But he continued to trust him after last December. And now again, with the best of motives, he will commit one of those blunders which Taftleyrand rightly called "worse than a crime."

Are there not two or three men in the United States Senate not too deaf to hear the stern warning of all the legitimate business interests of America?

Has not Roosevelt enough friends there to save him from himself?

Are there not enough loyal Republicans to keep the party from being rushed into gravest peril by this foisting upon the people at the dictates of a Wall street a law immeasurably worse than the one condemned by practically every organized body of business in the nation?

Even the original Aldrich bill was better than this iniquity.

And it was better, bad as it was.

It was only eighteen months or so ago that ALDRICH on the floor of the Senate made this declaration regarding municipal and railroad bonds: "In these days they are fluctuating widely, and no prudent banker could afford to buy bonds other than the bonds of the United States."

But that was before he had new orders from 26 Broadway and the National City Bank, and before J. P. Morgan's office boy in Washington received the message that illegal bond issues would be needed for Wall street's convenience in addition to \$250,000,000 deposits of the people's money.

Those high financiering banks of New York owed outside banks \$410,000,000 just before last fall's panic. From August until December the country could squeeze only 5 per cent of its own money from New York's clutches. And Wall street made a virtue of paying \$20,000,000 of its \$400,000,000 indebtedness to the distressed country, during a period when the accommodating Cortelyou increased the Treasury deposits in New York banks \$47,000,000.

But Wall street had bonds in plenty—railroad and municipal bonds unsalable, unacceptable by savings banks, and so speculative and unstable that many of them fluctuated from 10 to 20 per cent within a year.

New York was the defaulter of the nation, with its illegal clearing-house certificates. But there were bonds to build new skyscrapers in Broad street if heaped in bundles, flotation upon flotation.

There were bonds enough when Mr. Cortelyou opened the Treasury doors to them to increase the deposits of railroad and municipal bonds with the Government from \$87,000,000 in October to \$200,000,000 in December. And still Wall street gasped for breath under its load of dubious securities.

It was to dump upon the Government that load that ALDRICH introduced the bill that he did not himself dare defend except as a makeshift. And it was that bill which brought forth an outburst of indignation from every board of trade and commercial body throughout the land.

The protest was so universal that ALDRICH voluntarily withdrew his proposal to accept railroad bonds as security for currency. He did so in an attempt to forestall LA FOLLETTE's tremendous indictment, of which this was an essential clause:

"For us to pass laws here that lend Government credit to railroad financiering schemes that guarantee, in a measure, railroad securities and adopt railroad securities, good, bad, and indifferent, into the currency system of the country, without either discrimination or investigation, could not be justified under any pretext of serving the public interest."

But on that same March day the Wisconsin Senator warned the country that the vicious proposal had been dropped only temporarily and would be revived. He was right. ALDRICH and his clique even then were preparing to prove themselves tricksters and faith breakers.

Mr. KEAN. Mr. President, it is impossible to hear the Senator.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. STONE. I can not afford to yield. I must object.

Mr. KEAN. I am very anxious to hear the Senator, and I can not hear him.

The PRESIDING OFFICER. The Senator from Missouri declines to yield.

Mr. STONE. I decline to yield. It is against the proprieties for interjections of that kind to be made.

The anger of the people was lulled to sleep. The public watched with contemptuous indifference the Senate's passage of the emasculated Aldrich bill and the acceptance by the House of the spineless Vreeland measure, the latter, at least, having the merit of recognizing in a small way the only true basis of emergency currency—commercial paper.

And now, at the eleventh hour, the conspirators deliver their stab at the commerce of the country. They rush forward a bill well described as "half Senate infamy and half House infamy," embodying every rotten Wall-street device that lay in the earlier bills and discharging every amendment for the protection of honest banking and legitimate business.

Commercial paper is mentioned, and railroad bonds are not. Oh, the wisdom of these pirates, thinking they can mask their purpose with such word twisting! Just as if the business men of this country would not understand the meaning of "other bonds" and "any securities, including commercial paper."

State, county, and municipal bonds to be accepted at 90 per cent of their market value. "Other bonds" and commercial paper to be taken at 75 per cent only after arranging complicated and elaborate associations feasible only for the New York banks.

And even should such machinery be formed and the entire assets of the banks pledged, they could issue only 30 per cent of the unpaired capital and surplus on the security of commercial paper, while on "other bonds" the only limitation placed is that the issue, together

with the circulation based on United States bonds, must not exceed the aggregate capital and surplus of the issuing bank.

This law will mean the turning over of the Treasury of the United States to the gamblers of the New York Stock Exchange for a period of six years.

It will mean the making of "good times" and "bad times," of "bull" markets and "bear" markets, according to the pleasure of Rogers and Rockefeller in the National City Bank and J. P. Morgan in the National Bank of Commerce.

It will mean not the slow and certain movements of contraction and inflation by the natural laws of commerce, but sharp changes forced at will by the master gamblers.

It will mean the gift to the chief enemies of the nation of the power to issue or retire half a billion of dollars, exciting speculation or compelling disaster, according to whichever best suits their betting book.

What the effect will be upon the coming elections we do not know. We do not know what measure of punishment a long-suffering people will inflict upon their betrayers.

It is not the time to think of politics or partisanship. A thing is being done which will affect every employer and every employee in America, every banker, merchant, manufacturer, clerk, and mechanic.

We wish merely to warn one and all. The country will be in the condition of a convalescent to whom drugs that are powerful stimulants, but poisonous, would be administered.

There will be a boom—a feverish but false activity. The issue of half a billion of fiat greenbacks or 16-to-1 silver would have the same effect. And then, after the North American and the few like us have been mocked at as false prophets and pessimists, pay day will come. And the price will be a bitter one.

Mr. President, I desire to read, for the edification and enlightenment of the Senate, one or two other editorial expressions from leading journals of yesterday and to-day.

Mr. KEAN. Mr. President, I hope the Senator will read a little louder. I am trying to follow him.

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. STONE. I must yield to the Senator.

Mr. KEAN. I am trying to follow the Senator, and I should like him to read a little bit louder. It is very hard to hear him.

Mr. STONE. Will the Senator from New Jersey sit right here beside me?

Mr. KEAN. With pleasure; I always like to sit at the feet of the Senator from Missouri.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. I suppose I can get a little nearer the Senator, but I am very anxious to hear him, as I understand—I have seen it in the newspapers, though I do not vouch for the accuracy of the statement—that the Senator from Missouri is here with a mission from a Presidential candidate.

Mr. STONE. The Senator must also speak loud enough to be heard.

Mr. ALDRICH. I say I have seen a newspaper statement—I do not vouch for the statement, but I have seen it in the newspapers—that the Senator from Missouri is here with a mission to speak in behalf of one of the Presidential candidates; and, if that be so, I think it is quite important that we should hear his statement. [Laughter.]

Mr. STONE. Mr. President, I have no commission—

Mr. ALDRICH. Mission.

Mr. GALLINGER. Permission.

Mr. STONE. I have no commission or permission or request from any candidate for the Presidency to speak for him. Will the Senator from Rhode Island please indicate what candidate for the Presidency he refers to? Let us be specific, if it is worth attention at all.

Mr. ALDRICH. I saw in the headlines of the newspapers—and I rarely get a chance to read any more than the headlines—that Mr. Bryan had asked the Senator from Missouri to come here as his especial representative. I do not vouch for the accuracy of the statement.

Mr. STONE. I did not see any such statement in the newspapers; I did not see what the Senator saw; but I will say to him it is one of those rare instances in which the newspapers are wrong. [Laughter.] Now, here is an article from the New York World.

Mr. GALLINGER. A Democratic paper—

Mr. STONE. Such a Democratic paper as I always quote with reluctance.

Mr. KEAN. That evidently shows that you are not bearing the commission which was referred to.

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. STONE. Mr. President, let it be taken for granted now, just to avoid these oft-repeated inquiries, that the Senator from Missouri yields to anybody at all times.

This article is headed "A vicious currency bill." It is as follows:

Having been railroaded through the conference at the eleventh hour in the spirit of political humbuggery, the Aldrich-Vreeland compromise currency bill naturally is more of a campaign than a financial measure.

That is the literal truth, even though it appears in the World. It is a campaign document, a reaching out and groping for something to go before the country with, and this because you feel you must do something; but, in the name of heaven, why you should want to take this to the country I can not understand.

All the Aldrich features of the compromise bill had been formally rejected by the House as unsound, and all the Vreeland features had been roundly condemned by the Senate as unsafe. Conservative banking interests and recognized currency authorities counseled postponing action until a commission could report after careful consideration. As for offering relief in time of emergency, for which purpose the Aldrich-Vreeland bill is ostensibly drawn, in many respects it promises to be wholly unworkable and ineffective.

From the Aldrich bill the Republican conferees lifted the provision making bonds other than those of the United States a basis for circulation. When pressed by Senator CULBERSON yesterday in debate, Senator ALDRICH admitted that railroad bonds could be deposited as security.

And on yesterday also the Senator from Rhode Island admitted that railroad stocks could be deposited.

Mr. ALDRICH. I beg the Senator's pardon.

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. I beg the Senator's pardon. I made no such admission.

Mr. STONE. It is so printed in the papers this morning.

Mr. ALDRICH. That is another evidence of the unreliability of the newspapers at times.

Mr. STONE. Well, I will ask the Senator if a bank should happen to be the holder of railway stocks—

Mr. KEAN. A bank can not hold any stocks under the national bank law.

Mr. STONE. I know; but it might have them as security for a loan.

Mr. KEAN. That is different.

Mr. LONG. We can not hear the colloquy between the Senators.

Mr. STONE. I should like to know whether such stock can not be used as a basis of circulation?

Mr. ALDRICH. Under which contingency does the Senator mean?

Mr. STONE. Under any contingency.

Mr. ALDRICH. Mr. President, the national banks would not have railroad stocks in the first contingency, and, in the second case, they would not be permitted to pledge collateral which they hold for a customer to secure a loan.

Mr. STONE. Does the Senator from Rhode Island mean to say that the banks do not loan on stocks?

Mr. ALDRICH. That was not the question of the Senator from Missouri.

Mr. STONE. Well, then, I ask him now.

Mr. ALDRICH. I think they do.

Mr. STONE. Then they do?

Mr. ALDRICH. Yes, sir.

Mr. STONE. Now, if they put up their notes with the association as a basis for currency, would not the stocks go as security?

Mr. ALDRICH. I think not. It would not be within the province of the banks to pledge securities which they held under certain conditions for their own purpose, outside of loans. It would not be necessary for a bank to put up, under the provisions of the first section of this bill, stocks as collateral, because the notes themselves, if they contained two good names, would be available for that purpose.

Mr. STONE. Mr. President, I can not accept that interpretation, although it comes from so high a source. If stocks are held as security for a note, and the note should be offered to the association and accepted, it seems to me conclusive that the security would accompany it.

Mr. ALDRICH. If it did, Mr. President—

Mr. STONE. And the note might not be taken except for the security.

Mr. ALDRICH. If it were possible, as I think it is not, and I am clearly of that opinion, it certainly would not hurt the notes to have railroad stocks or any other securities for collateral, provided they contained the names of responsible parties and otherwise answered the provisions of the first section of this bill.

Mr. STONE. Nevertheless the fact remains, if my contention is correct, that railroad stocks, as well as railroad bonds, are indirectly, at least, the basis of currency.

Mr. ALDRICH. Mr. President, there can no such inference be drawn either from the bill or from any remarks which I have made. That is one thing that is perfectly clear. It has been decided time after time that a bank can not use for its own purposes collateral which is attached to a loan which they have made for a private person or a corporation.

Mr. STONE. How would you separate the security from the notes?

Mr. ALDRICH. You can not separate them.

Mr. STONE. Can not?

Mr. ALDRICH. No, sir.

Mr. STONE. If the note is put up, does not the security go with it?

Mr. ALDRICH. But the note can not be put up with that kind of collateral.

Mr. STONE. Well, that is a mere matter of assertion. Of course it does not seem to me to be a correct view. It is utterly untenable from my point of vision. However, we pass that now and proceed:

When his original bill was under discussion in the Senate he consented that this concession be stricken out. Now he—

This article uses a word I will not use. I will say, "gets it back in disguise."

As he values the bill, it is to be made serviceable to a coterie of banks and railroad financiers who are interested in bolstering up the bond market, in which they operate from the inside.

In securing for the banks the additional privilege of making commercial paper the basis of their circulation Mr. VREELAND won the main contention of the House, to which the Senate Committee on Finance, under Senator ALDRICH, had sworn it would never accede.

That is what you did. The Senator shakes his head. I did not mean to say, Mr. President—

Mr. ALDRICH. I took that means of dissenting.

Mr. STONE. I did not mean to say that he literally swore that he did not do it, because he never swears.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. To be sure.

Mr. ALDRICH. I took that means of dissenting because I did not like to interrupt the Senator's remarks.

Mr. STONE. Well, we all know that the Senator from Rhode Island was very emphatically opposed to the asset-currency feature and the commercial-paper feature of the Vreeland bill. I do not know that he ever swore by all the gods at once, or by any single god, great or small, that he would never accede to that; but that was understood to be his position all around here. I am tempted to quote what everybody seems to be quoting, namely, "Swearing he would ne'er consent, consented."

Commercial assets, under proper restrictions, could be safely used as the basis of note issues, as they are in Great Britain and France, but Senator ALDRICH has so contrived as to give preference to State, county, municipal, and railroad bonds, while obstacles to the quick use of commercial paper in the crisis of a currency stringency are so multiplied as to make it virtually unavailable. The compromise is thus, in effect, the Aldrich bill with its original iniquities coated with such added provisions as might render it palatable to the majority in the House.

By creating a commission and limiting the life of their compromise bill to six years, the authors of it confess that there is no need for haste and that their work is done merely for political effect on the eve of a national campaign.

Now, I am going to read something from the New York Times of May 29:

THE EMERGENCY BILL.

Nobody attempts to defend the emergency bill.

Is not that literally true? Is there anyone here who attempts to defend it? The Senator from Rhode Island explained it the other day; but does he defend it, does he justify it, does he approve it in all its provisions?

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. I am always glad to yield to the Senator.

Mr. ALDRICH. I certainly approve it, or I should not have signed the conference report. It is not strange, perhaps, as the Senator from Missouri has been unavoidably absent from the Senate, that he should not have known just what has transpired here.

Mr. STONE. That is an exceedingly luminous answer to my question, and out of a delicate regard for the feelings of my distinguished friend I will not press it; but, still it would be interesting if the Senator could find consent in his own mind to tell us just whether he does approve this bill in all of its provisions, and defends it and justifies it, and whether it has the entire approval of his wise judgment.

Mr. ALDRICH. Mr. President, if I had myself been constructing the bill it would have been different from this in some respects, but as all legislation, especially when there are differences between the Houses, is a matter of compromise, I would say that the bill in its present form does meet with my approval or else I should not have placed my name on this conference report.

Mr. STONE. Well, the New York Times says, "Nobody attempts to defend the emergency bill." Now, what the Senator

has just said will go to the Times, and I shall look to-morrow to see the Times' interpretation of his defense.

Even the preposterous proposal bears upon its face a limitation in time, which is the same as saying that it neither can nor should be endured longer. Yet this unendurable proposal is itself an alleviation of the erstwhile perfect currency system of the Republican party, to which it has pointed with pride uncounted times. With what scorn has our cherished Uncle Joe ridiculed those who advocated a "rubber" currency, and yet the genial old gentleman turns up smiling in favor of adding a half billion dollars to an already excessive volume of currency, whose merit but yesterday was the statutory prohibition of retirement when not wanted.

Now, that is true. This House passed what is known as the "Aldrich bill." It ought never to have passed it, but it did, and the House of Representatives struck out everything in the bill except the enacting clause, and they ought to have stricken that out. They then put in this Vreeland bill and sent it over here to the Senate. You know what you did with it. And so the Times is literally correct when it says:

Each House is on the record as formally condemning the proposals of the other House. The very gentlemen who sign the conference report combining all the faults do so apologetically. Upon this the Republicans propose to go to the country, and set themselves up stolidly for the ridicule of the judicious.

However, the thing is before the country, and respect for our lawmakers requires that some attention be paid to the ripe—not to say overripe—fruit of their half year's labors. The first thing which occurs is to compare it with the practice of bankers under conditions which make correct conduct a matter of financial life and death. It appears that the bill reverses what our bankers did. They accepted as a basis for clearing-house certificates commercial paper in the proportion of 3 to 1 of bonds. This bill makes the proportion of commercial assets acceptable 30 per cent of capital and surplus, leaving 70 per cent for bonds.

The editor further says:

Surely some of the Congressmen must have read Job. Bearing in mind that this is a bill exclusively for the regulation of financial cyclones, it is well to quote the seer who had almost as much cause for patience as we with Congress:

"Canst thou draw out leviathan with a fishhook, or press down his tongue with a cord? Canst thou put a rope into his nose, or pierce his jaw through with a hook? Will he make many supplications unto thee, or will he speak soft words unto thee? Will he make a covenant with thee that thou shouldst take him for a servant forever? Wilt thou play with him as with a bird, or wilt thou bind him for thy maidens?"

When these things happen to leviathan, then will financial cyclones follow the metes and bounds of this worthless defense against emergencies.

Now, here is an editorial from the Evening Post, of New York, of the 28th instant:

THE ALDRICH-CANNON EMERGENCY BILL.

"This bill," remarked the Democratic leader of the House of Representatives, when the latest currency measure arrived from the conference committee, "ought to be called the Aldrich-Cannon political emergency bill." This is in truth the exact definition of the hybrid measure which went through the House under the party lash yesterday afternoon by a majority of only twenty-six, and with thirteen Republican Representatives voting against it. Whether the "political emergency" has been met, in view of the jobbery, insincerity, economic ignorance, and defiance of the protests of the banking community which have attended every step in the legislation, remains to be seen. Speaker CANNON evidently thinks it has; so does Senator ALDRICH; and it appears that Mr. Roosevelt also has lent his aid, on the ground of a crisis for the party.

Think of the incomparable Roosevelt lending his aid to the passage of a bill merely to bridge over a crisis for the party! Oh, how often have we been told that he does everything from purely patriotic motives and with exalted purposes, and that he cares nothing about the small things of politics.

But now he comes—this wonderful man—and joins hands with the Senator from Rhode Island, and even with the Senator from Ohio, for mere party's sake. After all, he, like the rest of us, is of the earth, earthy. But even from the low plane of a mere party exigency you are blundering. When the attention of the country is fixed on the bill and the people come fully to comprehend what you have done, you will find it to be a blunder; and I intend to do what I can to attract the attention of the country to this miserable business. But I will read the remainder of this article:

With the Members of the House who yesterday voted for the bill, the case is very similar. Most of them, we imagine, will read the printed drafts of the bill to-day with as much curiosity as will the general public. They were summoned to vote for the new "conference measure" two minutes after it had been printed and when none of them knew what it contained, and they were allowed only one hour of debate. The strongest argument which its sponsor, Mr. VREELAND, had to offer to them for its passage, was that "it has been agreed to at a Republican conference of House and Senate managers," and that "it therefore ought to be adopted by this Republican House." There was a stronger argument, and one which undoubtedly insured the vote, but it was an argument which Mr. VREELAND would not have cared to commit to the pages of the CONGRESSIONAL RECORD. It was Congressman BARTHOLOMEW's open declaration of Monday: "I have the report of the conference on the public buildings bill in my pocket, and I am going to keep it there until a satisfactory currency bill has been passed," which settled the question with the unwilling House.

At the moment, it seems probable that the bill in its present shape will pass the Senate; it commands, in any case, the Republican majority, and could be defeated only through filibustering tactics. Supposing its enactment, the two questions are, first, the result in the

electoral campaign, and second, the aspect of the bill as a financial measure. We believe that, as a political maneuver, this currency legislation is a blunder.

The theory on which the politicians base their expectations is plain enough; the public would be informed on the stump that a critical emergency existed, that immediate return of last autumn's financial crisis and currency famine was at hand, and that the Republican party had enacted a preventive. This would be well enough, from a political point of view, if the public could only have been kept in ignorance of the facts, or in a state of indifference to them.

But the long and sensational Washington controversy; the protests of bankers and commercial organizations; the rebellion of the best-informed experts of the House of Representatives; the fracas in the House conference, which almost came to blows; the attempts to practice fraud on the public by calling the new-fangled bank groups "clearing houses;" the alternate use, in the last resort, of political bulldozing and corruption, and the permeating atmosphere of stock-jobbery which has existed from the first—all these incidentals have been blazoned forth on the pages of every newspaper. It is difficult to see how any voter who reads the daily press can have been left in ignorance as to the nature of the affair. Not least, as a practical appeal to the voter's common sense, will stand the obstinate and at length successful refusal of the Aldrich-Cannon clique to allow a single outside expert on the commission named to draft permanent currency legislation.

I have one more editorial, part of which I desire to read into the RECORD.

Mr. CLARK of Wyoming. What is it from?

Mr. STONE. From the Philadelphia Record of May 29.

Senator ALDRICH has been determined that emergency circulation should be issued only upon a deposit of bonds, supplementing bonds of the United States with the bonds of States, counties, and municipalities; and originally he specified railroad bonds.

And originally he specified a particular class of railroad bonds, too. But under this bill any kind of a railroad bond can be offered. Why did the Senator from Rhode Island, I wonder, enlarge that provision? Why did he not stick to the original idea? He does not seem to care to tell us.

The Republican House caucus agreed by a very large majority to the principle of accepting commercial paper as security for circulation. This is in accordance with the recommendations of most of our high Treasury officials, the currency committee of the New York Chamber of Commerce, and the currency commission of the American Bankers' Association.

The two coordinate branches of Congress, then, ALDRICH and the caucus, being at variance, and the party leaders feeling it unsafe to go into the campaign without some legislation to avert the currency stringency which occurs almost every fall, the only way in which an agreement could be reached was to fix up a bill containing both these propositions.

In order to carry out the views of the caucus, section 1 provides that not less than ten national banks, with not less than \$5,000,000 of capital and surplus, may form a national currency association. Any member of the association having notes secured by Government bonds to the amount of 40 per cent of its capital, and having a surplus equal to 20 per cent of its capital, may deposit with the association, "as a basis for additional circulation, any securities, including commercial paper, held by a national banking association," which is the legal description of a national bank. The association may then, in behalf of the bank that wishes additional circulation, apply to the Comptroller of the Currency for an amount not exceeding 75 per cent of the cash value of the securities or commercial paper so deposited.

At this point, however, ALDRICH begins to get his work in. This appears in the provision that "upon the deposit of any of the State, city, town, county, or other municipal bonds described in section 3 of this act (which imposes safeguards upon the character of the bonds), circulating notes may be issued to the extent of not exceeding 90 per cent of the market value of such bonds," and no bank "shall be authorized in any event to issue circulating notes based on commercial paper in excess of 30 per cent of its unimpaired capital and surplus."

Here is a very radical discrimination in favor of banks depositing bonds and against those depositing commercial paper: commercial paper alone, 30 per cent; commercial paper and bonds, 75 per cent; bonds alone, 90 per cent. Senator LA FOLLETTE is reported to be greatly exercised over the possible use of railroad bonds; but, so far as we can see, they will only come in with "any securities, including commercial paper," which a bank may deposit with a currency association. The provision in section 8 that the Secretary of the Treasury shall "from time to time furnish information to national banking associations as to such securities as would be acceptable under the provisions of this act" would, of course, afford a very valuable advertisement of such railroad and other securities as he should accept.

But ALDRICH's main work comes in in section 3, which would permit any bank having the surplus and bond-secured circulation already stipulated for, without going into a currency association, to deposit Government, or State, county, city, and town bonds which meet certain conditions and get notes to the amount of 90 per cent of the market value, not to exceed par, of the bonds deposited.

Probably this patchwork measure, annexed to the greatly patched present system, would facilitate an increase of circulation in an emergency. But the discrimination against commercial paper is unwarranted and would in a measure defeat the purpose of the act.

I read these editorials not because I think they are all of them right in statement or conclusion, but to show a somewhat general consensus of opinion among the leading journals of the Northeast—even that this is unwise legislation. What the journals of the West and South may say about it remains to be seen.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. The Senator called attention to the fact that the newspapers from which he has read are the leading journals of the Northeast. Does he consider them leading authorities in political matters as well as financial?

Mr. STONE. They are of course influential political journals. I do not know that they are authorities particularly.

Mr. President, I pass from these utterances of newspapers to a consideration of the opinions expressed by leading men in the financial world.

I have some documents here that contain hearings had within the last month or so before the Committee on Banking and Currency of the House.

Mr. ALDRICH. What committee is it?

Mr. STONE. The Committee on Banking and Currency.

Mr. ALDRICH. Of the House of Representatives?

Mr. STONE. Yes; that is the only Banking and Currency Committee I know of.

Mr. ALDRICH. Does the Senator consider the Banking and Currency Committee of the House a leading authority upon such questions?

Mr. STONE. I am not reading the opinions of the Banking and Currency Committee. I am reading the opinions of some gentlemen who appeared before it and expressed themselves on the so-called "Aldrich bill." The chairman of the committee said:

Now, gentlemen, we would like to hear from others with regard to this Aldrich bill who come here with the American Bankers' Association. We would like to have you gentlemen heard first, and I would like to call you up one after another and have you direct your remarks, if you will, to the measure, and as concisely as possible, since we have so many here who must be heard.

Mr. PRINCE. Let the record show that you are a banker and that you were formerly president of the American Bankers' Association, if such be the facts.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

The VICE-PRESIDENT. Does the Senator from Missouri yield further to the Senator from Rhode Island?

Mr. STONE. Delighted.

Mr. ALDRICH. Does the Senator think that Congress, in the enactment of currency legislation, ought to follow the interests or the opinions of the bankers of the United States?

Mr. STONE. Oh, I do not think we ought to follow them, nor do I think Congress ought to disregard them. The opinions of bankers who have given much attention to currency questions are entitled to thoughtful consideration.

Mr. ALDRICH. Undoubtedly.

Mr. STONE. I think so, but at the same time we should not forget that sometimes bankers have such special interests at stake as might bias their judgment. They are in that respect just like other people. I would not follow them. I would simply listen with respect to their opinions.

Mr. ALDRICH. That is my view, too. There have been times when the people in the section of country the Senator from Missouri represents were not inclined to accept the opinions of bankers as conclusive upon their judgment.

Mr. STONE. What does the Senator mean by saying that that condition existed in the section of country from which I come? Is that any more true of the States of the Middle West than it is of the section from which the Senator comes?

Mr. ALDRICH. From a political standpoint I should say yes. I think the people of Missouri generally, and of the States in that section, have not been so favorable to banks and to bankers generally as have the people of the East.

Mr. STONE. I do not think we have followed them quite so blindly as have some of the people of the East. We have exercised greater independence of bank influence and bank dictation, but there is not any more enlightened public sentiment on the question of banking or of its uses and importance in the section the Senator comes from than in the section I come from.

Mr. ALDRICH. I was wondering whether the fact that the Senator was reading, with approbation, statements from leading bankers was an indication of a change of opinion on the subject in the community which the Senator so ably represents.

Mr. STONE. There is no change of opinion in my section, so far as I know, nor have I said I am reading with approbation. The Senator from Rhode Island can not suppress his bubbling humor. He overflows with it. If I thought he was really serious in what he said about the difference of opinion between the East and West concerning banks and bankers, I might say more about it. But his remark was only an irresistible outburst of Rhode Island humor. All I can do is to laugh and then read:

Mr. PRINCE. Let the record show that you are a banker and that you were formerly president of the American Bankers' Association, if such be the facts.

Mr. HAMILTON. Yes. I am a private banker, and the only member of this commission who does not come from a reserve city, and I am also a member of the currency commission of the American Bankers' Association.

I do not know that there is much that I can say in opposition to this measure more than what has already been said by Mr. Forgan and Mr. Hepburn and others. This bill, as we view it, is of absolutely no benefit to the country banking institutions. It works as great a

hardship on the officers and directors of those institutions as it will on those of the commercial centers, and in many instances I believe it works a greater hardship, for the principal officers of the country banks are usually interested in other industries, and must, of necessity, do business with the institutions with which they are connected as officers, and the statement made by Mr. Forgan as to the amount of capital belonging to industries of directors and officers of his bank would apply about in the same proportion to the capital of institutions controlled by the smaller banks of the country. This bill, if enacted into law, would, in Illinois, take about three-fourths of the directors from the national banking institutions of that State. The reason that I happen to know of this is that during the last session of the legislature in Illinois a similar measure was introduced in that State relative to the State banking institutions, in which a clause very similar to this was proposed. I had occasion thus to look up the statistics on the matter and we found it would practically take a majority of the directors of the State institutions from those boards and leave them without the best men on their boards to conduct the business of those State institutions. The same rule will apply to both classes of banks.

Mr. ALDRICH. Will the Senator allow me?

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. ALDRICH. I suppose the Senator is aware that the provisions which are being criticised by this gentleman are not in the bill.

Mr. STONE. Yes; but the substance of it is in the bill.

Mr. ALDRICH. Oh, no; not the substance of it.

Mr. STONE. Well, it is good reading anyhow. He says:

There is an objection to this measure, in my mind, that has not been brought up, and that is that it is within the power of the Secretary of the Treasury to discriminate against the country banking institutions.

Mr. ALDRICH. Will the Senator permit me to make a suggestion? The provision which the gentleman referred to was the amendment of the Senator's new political leader.

Mr. STONE. Whose?

Mr. ALDRICH. The Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. TELLER. The Senator from Wisconsin [Mr. LA FOLLETTE] offered the amendment.

Mr. STONE. Then it is not necessary to read it.

Mr. TELLER. You might see some new beauties in it.

Mr. STONE. I am not surprised that it was objected to. Do I understand the Senator from Rhode Island to say that the provision Mr. Hamilton was criticising was a provision offered by the Senator from Wisconsin?

Mr. ALDRICH. It was.

Mr. STONE. What was the provision as the Senator from Wisconsin offered it?

Mr. ALDRICH. It was the eleventh section of the Senate bill, which forbade loans to directors.

Mr. STONE. Did the Senator from Rhode Island agree to it?

Mr. ALDRICH. I agreed to it pro forma, but I did not agree to it in judgment. I did not expect that it would be a part of the bill when it was passed, and it is not a part of the bill.

Mr. STONE. Well, it ought to be.

I am going to read that through so that the Senator from Wisconsin can comment upon it when he has occasion to do so. He might desire to make some observations.

Mr. Hamilton says:

There is an objection to this measure, in my mind, that has not been brought up, and that is that it is within the power of the Secretary of the Treasury to discriminate against the country banking institutions and give to the commercial centers the benefit of the note issue. Under the provisions of this bill it provides that the Secretary of the Treasury may permit these notes to be issued if in his judgment an emergency exists. The failure of any national bank to apply for its pro rata share of such notes takes from it the possibility of securing these notes unless applied for within such period as may be directed by the Secretary of the Treasury, and he has the authority, under the provisions of the bill, to give this note-issuing privilege to centers applying for it within the immediate vicinity.

I believe the sentiment is universally against the Aldrich bill; and, in fact, I know it is, for the reason that I have taken the matter up by correspondence with thousands of bankers throughout the United States, and have been doing that end of the work, and received on an average of 100 letters a day from all sections of the country, from every class and description of bankers, and they have universally opposed this measure and believe, and so state, that it would be a menace to the financial interests of the country should it be enacted; and, with your permission, I would like to call your attention to the Vreeland bill.

Mr. ALDRICH. What was the last sentence read?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. I should like to have the Senator reread the last sentence.

Mr. STONE. He remarked—

With your permission, I should like to call your attention to the Vreeland bill.

Mr. PRINCE. That, Mr. Hamilton, in effect, is really the Aldrich bill, except as to sections 8 and 11.

Mr. HAMILTON. Yes, sir.

Mr. PRINCE. And a new section numbered 4.

Mr. HAMILTON. Yes; there is practically no change in the bill from the Aldrich bill with the exception that sections 8 and 11 have been omitted from the bill and these other sections have been added. The tax on circulation, and so forth, is the same in both measures. The notes to be issued under this bill are a distinctive note, differing from the present national-bank note issued, and one of the serious objections to the measure is this: That it provides that a clearing-house association may be organized by ten national banks. If it is the intention of this bill to confine it to the cities having ten national banks, then it eliminates all but seven cities in the United States from the possibility of issuing such notes. Those seven cities are Baltimore, Boston, Cincinnati, Chicago, Philadelphia, Pittsburg, and New York. St. Louis and San Francisco could not come in in this list for the reason that they have not a sufficient number of banks. The city of Washington, D. C., can not come in under this provision. There is not a single city in the South that can come in under this list. If it is the intent of the bill that it shall be confined to such commercial cities, then that is limiting its scope to too few cities to be of any great benefit to the commercial interests of the country.

That, of course, has been provided for in the newly constructed bill, so that that objection does not obtain.

Mr. WEEKS. Why would it be to the detriment of the small institutions? You would go to your reserve agency and get your currency, would you not?

Mr. HAMILTON. Yes, sir.

Mr. WEEKS. Well, how is it going to harm you?

Mr. HAMILTON. It puts it within the power of the central agencies, of the combination of capital, to control the situation. It puts it within their power, with the right kind of man as the Secretary of the Treasury favorable to those institutions, to compel every banking institution in the United States to go to those centers for their relief.

Here is a statement made by E. F. Swinney, president of the First National Bank of Kansas City, and member of the Currency Commission of the American Bankers' Association. I have the pleasure of knowing Mr. Swinney. I will read what he says:

Mr. SWINNEY. Mr. Chairman and gentlemen of the committee, I only care to mention one section of this bill which we have under consideration and to show you to my mind the utter fallacy of the proposition of bonds for reserve, and in order to do so I will have to be a little bit personal, but I believe that we are here to take up these questions and discuss them to the point. The largest bank west of St. Louis, in the way of deposits, is in Kansas City. The president of that institution always went on the ground that he would keep a secondary reserve in the way of high-grade bonds, such as we have called for in this bill, as a part of the reserve—

Mr. ALDRICH. Mr. President, it is impossible to hear the Senator even from this distance.

Mr. STONE. I am trying my best to reach the ears of the Senator.

And he carried some \$5,000,000 of bonds of that class on hand at all times and advertised them. As representing the First National Bank, I had a number of discussions with him regarding the subject, and always told him that I was not in favor of the proposition; that I believed that the banks should have their assets in a more liquid state. Last fall, when the trouble came on, or when it was coming on, about the middle of October, he had these bonds on hand. We had about \$1,500,000 of commercial paper on hand falling due between that time and the 10th day of December. The National Bank of Commerce in Kansas City was compelled to sell their bonds. On the 10th day of December, Doctor Woods told me that they had sold \$3,000,000 of those bonds at a loss of \$300,000. On the 10th day of December, the First National Bank had collected every dollar of this commercial paper without one dollar of loss.

Mr. ALDRICH. Mr. President, I am not over 20 feet away from the Senator and I can not hear a single word he says, and I have no idea what he is discussing.

Mr. STONE. I am discussing the Aldrich-Vreeland bill.

Mr. ALDRICH. I supposed the Senator was, but I was not sure of it.

Mr. STONE. Well, I give the Senator assurance of it.

The PRESIDING OFFICER. The Senator from Missouri will proceed.

Mr. STONE. It affords me pleasure, Mr. President. I am reading somewhat at random from these hearings. All of the things I read as I go along I find are not entirely pertinent to the immediate question before the Senate, but they are instructive, and they cover the general subject and ought to go into the permanent Record.

Here are some hearings had before the House Committee on Banking and Currency on April 14 last. Here is the statement of Charles G. Dawes, esq., of Chicago, Ill. We all know Mr. Dawes, or know of him. I do not know just what he has said here; I glanced over it very hurriedly; but I will read a part of it anyhow.

Mr. PRINCE. Mr. Dawes, will you give your name and residence?

Mr. DAWES. Charles G. Dawes, Evanston, Ill.

The CHAIRMAN. What is your occupation?

Mr. DAWES. I am president of the Central Trust Company of Illinois.

The CHAIRMAN. Located at Chicago?

Mr. DAWES. Located at Chicago.

Mr. PRINCE. You were formerly Comptroller of the Currency?

Mr. DAWES. Yes, sir.

Mr. PRINCE. Between what years?

Mr. DAWES. From 1898 to 1901, I believe.

Mr. PRINCE. Is the bank of which you are president a commercial bank?

Mr. DAWES. The bank of which I am president is a State bank. Yes; we do a commercial business.

Mr. PRINCE. Does it do a regular commercial business?

Mr. DAWES. Yes. We do not take commercial paper. We loan only on collateral; but we do a regular commercial business, with checking accounts.

Mr. PRINCE. You do a checking-account business?

Mr. DAWES. Yes. Just here, gentlemen, let me say—

Mr. PRINCE. Just let me ask you one or two more preliminary questions, to get them clear in the record.

Mr. DAWES. Yes; go ahead.

Mr. PRINCE. If this Aldrich bill, that is now under discussion, should become a law, would you avail yourself of its privileges?

Mr. DAWES. I do not know; I have not considered that matter as yet.

Mr. PRINCE. Could the bank of which you are president avail itself of its privileges now?

Mr. DAWES. Ours is not a national bank; therefore we could not avail ourselves of its provisions.

Mr. PRINCE. That is what I am getting at. Let me ask you a further question: If this bill should become a law, would you change your present form of bank into a national bank in order to get the privileges of it?

Mr. DAWES. I do not know. Mr. PRINCE. I have come here to speak from a general standpoint about the Aldrich bill. It is a matter of no interest to this country as to whether my bank would avail itself of the provisions of the Aldrich Act or not. If you will please let me proceed now with a general statement upon this bill, after I get through I shall be very glad indeed to answer any questions that I am able to answer. But I would like, if I can without interruption, to make a statement upon this bill as I see it from its general standpoint, not with reference to my bank or any particular bank, but with reference to the interests of the country as a whole.

Mr. PRINCE. All that I wanted, Mr. Dawes, was to have the House and the country know exactly the conditions as they appear before the committee. I do not wish to catechise you, and I do not wish to interrupt you. Go on now in your own way. I simply wanted to show the facts as they exist.

Mr. DAWES. In the first place, I want to say, in connection with the Aldrich bill, which has passed the Senate, that I do not appear as advocating the passage of that bill in its entirety. I believe, as do most of those who have appeared before this committee, that the section relating to loans upon securities in which directors of the banks are interested—the number of the section I have forgotten—is unwise.

Mr. PRINCE. It is section 11.

Mr. TELLER. I wish to say that I think a Senator who makes a speech ought to be heard by the Senate, and I think I will call the Senator to order if he does not enable those of us who sit within 15 feet of him to hear what he is saying.

The PRESIDING OFFICER. The Senator from Missouri will try to raise his voice so that he may be heard.

Mr. STONE. Mr. President, if it so happens that a Senator's voice is feeble and weak, I should think he would still have a right to speak.

Mr. TELLER. I suggest to the Senator that if he is physically unable to read, under the rules of the Senate the clerks may read for him.

Mr. STONE. I do not know of any rule of the Senate by which I can have that done, with all due respect to my distinguished and amiable friend.

Mr. TELLER. There is a rule on the subject. Of course the reading at the desk can be objected to.

Mr. STONE. I do not know of any rule of the Senate that requires a Senator on the floor to pitch his voice at any particular key. But we have had some innovations on the rules in the last few days, and possibly we have reached a point now where the Senate or the Presiding Officer may determine just what volume of voice shall be used by one addressing the Senate. However, until that rule is made it can not be enforced.

Mr. PRINCE—

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. I do.

Mr. ALDRICH. The statement from which the Senator is reading is, I think, a very carefully prepared and a very comprehensive statement upon this whole question, and I should be glad if the Senator would ask to have it inserted in full as part of his remarks.

Mr. STONE. I would rather read what I have to submit. I would lose all the pleasure of the engagement. Still, if that is something the Senator wishes to insert in the RECORD, I will let it go and take up something else. I wish to be accommodating.

The junior Senator from Illinois [Mr. HOPKINS] does not appear to be in his seat. I am sorry to call attention to the fact. It was inadvertently done. I have a copy of a speech here in my hand delivered on March 25 last by the junior Senator from Illinois, and I am going to read a little from it. The Senator from Illinois said in the debate:

Mr. President, only a year ago, by an amendment that was offered by the Senator from Georgia [Mr. BACON], it was provided that in designating the Government depositaries the Secretary of the Treasury should consider all sections of our common country. Why was it? Was it to benefit some individual bank? Not at all. It was for the purpose of distributing this large sum of money that daily and weekly

and monthly comes into the Treasury of the United States all over this country for the benefit of the people themselves.

Mr. NELSON. Will the Senator from Illinois allow me to ask him a question?

Mr. HOPKINS. I will.

Mr. NELSON. Do not the banks loan out the money which is deposited with them by the Government to the public and charge interest for it? They do not conduct that part of the business as an eleemosynary institution, as a matter of charity. Does the Senator undertake to say that the money which the Government leaves with the banks is left there as a matter of charity for the banks to distribute among the people? Do they not mix it with their other funds and loan it out and get interest on it?

Mr. HOPKINS. Of course they do; and that is the intention when the money goes into the various banks. But I want to know how the Senator from Minnesota is going to obtain any consolation from that. If the money was kept in the banks the people would not get any benefit from it. Does the Senator suppose that if an interest charge of 1½ per cent or 2 per cent is made on the Government deposits the banks are going to pay it? Not at all. The people who borrow money will be compelled to pay it in the extra interest that is charged. It is an utter impossibility to regulate this by legislation here. If the banks are required to take this money as Government depositaries and pay 1½ or 2 per cent interest upon it, then the person who goes to the bank to obtain any part of that money will be required to pay that much more interest. So nothing will be gained for the general public. It comes right back to the proposition—

Mr. NELSON. Will the Senator yield to me for a question?

Mr. HOPKINS. I will.

Mr. NELSON. If these large city banks can afford to pay 2 per cent on the balances of the country banks, why can they not afford to pay the Government a little? They mingle the money they get from the country banks with Federal money and loan it out and speculate and make profit on it. Why is it any greater hardship for the banks to pay interest to the Government than it is for the banks to pay interest to the country banks?

Mr. HOPKINS. The Senator from Minnesota misconceives this proposition entirely. It is not a question whether the banks can afford to do it or can not afford to do it. It is a question whether the people from whom this money is taken by the reserve system we have shall be required to pay a greater rate of interest when they go to the banks to borrow money than they would under other conditions.

Mr. NELSON. Will the Senator yield to me?

Mr. HOPKINS. I will.

Mr. NELSON. Does the Senator have any information that the banks which get this money from the Government loan it to the people at any less rate than they do any other money?

Mr. HOPKINS. That is aside from the question entirely. It has no bearing upon it. It does not make any difference whether they do or do not. We know that if the banks are required to pay interest on the deposits, they will put the money out at a profit. We know that. If they do put it out at a profit, they are going to charge the person who borrows the money a higher rate of interest than they otherwise would.

There is another proposition in connection with this to which I desire to call the attention of the Senator from Minnesota and other Senators who feel as he does, that interest should be paid on these Government deposits, and that is this: Under the decisions of the Supreme Court of the United States, and under the clear reading of the statute itself that permits national banks to become Government depositaries, the Government never loses control of the money.

The money in a bank that is made a Government depositary is public money as much as that in the subtreasury or in the Treasury itself, and section 5489 of the Revised Statutes of the United States makes the banker an embezzler if he is unable to pay that money whenever it is demanded by the Secretary of the Treasury. You change that relation entirely—

Mr. FLINT. Mr. President—

Mr. HOPKINS. Just a moment. You change entirely the relation between the Government and the banks the moment you undertake to charge interest upon the Government deposits. Under present conditions the banks are simply fiscal agents of the Government of the United States. They hold the same relation to the Secretary of the Treasury as does the subtreasury at Chicago or New York or wherever those subtreasuries are located. They are governed by the same rules and the same regulations, and the money that they have is the money of the Government of the United States the same as the money in the subtreasuries.

Mr. President, you change that and require interest and you establish a contractual relation between the banks and the Government. You make a contract between them which entirely destroys this fiscal agency that has always been the marked feature of these deposits, and make the relation of debtor and creditor to exist between the two. In other words, you destroy the power of the Government of the United States to make an embezzler of a banker if he fails to respond with the money. His relation then to the Government is that of any other person who makes a deposit and makes an arrangement by which he is to have a certain compensation for it.

Mr. FLINT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Illinois yield to the Senator from California?

Mr. HOPKINS. I do.

Mr. FLINT. The Senator seems to have answered the question which I wanted to ask him when I rose. I should like to ask him, however, whether in his opinion, if this amendment is adopted, making a charge of 1½ per cent interest, or not less than that, it would change the relation, so that the banker could not be prosecuted if he embezzled the money?

Mr. HOPKINS. I undertake to say that if that arrangement is made, section 5489 can not apply to it. That applies—

Mr. FLINT. I want to ask the Senator a question. Then we simply ought to amend that section, too?

Mr. HOPKINS. Very well; you have to revise the criminal code of the United States in order to do that.

Mr. FLINT. We certainly ought to amend that section if this amendment is adopted.

Mr. HOPKINS. You have to do it if it is to be made a crime for the banker to fail to return the money on a contract to borrow money and pay interest upon it, a relation this amendment makes.

But I want to suggest to the Senator from California: Would it not be an anomaly in criminal law to make an embezzler of a man when you make a contract with him and require that he shall pay you a certain amount for the use of money, if he does not return it? Has the

Senator in his whole experience as a lawyer ever met an example of that kind? Is there either in the Federal or the State courts a case of the kind?

I maintain, Mr. President, there is not; and the reason why we can hold the banker as an embezzler under existing law is because this is public money and not the money of the bank. The bank is a fiscal agent of the Government.

Mr. NELSON. Will the Senator allow me a question?

Mr. HOPKINS. I will.

Mr. NELSON. Do not the bankers who receive this public money mingle it with their other money? Do they keep it as a special deposit? If they mix it with their own money and handle it as they do their other funds, is not that practically a conversion? And if the Senator's theory is correct, is it not true that every national bank that has received Government deposits, the moment it uses those deposits and mingles them with their other funds, is guilty of embezzlement?

Mr. FLINT. Mr. President—

Mr. HOPKINS. One at a time, please.

The VICE-PRESIDENT. Does the Senator from Illinois yield to the Senator from California?

Mr. HOPKINS. Only one at a time.

The VICE-PRESIDENT. The Senator from Illinois declines to yield.

Mr. HOPKINS. Of course a banker who takes the money of the Government on deposit takes it at his hazard, and if he is unable to respond when the Government calls on him, under the section of the statutes to which I have referred he is an embezzler. That is one of the hazards taken by the banker. It is no secret among people managing national banks that the great majority of national banks are not anxious to take deposits of this kind. The hazard is too great even under existing conditions for them to take the money and be ready to respond at any time to any demand that may be made by the Secretary of the Treasury. The hazard, however, would be increased if the criminal law should be changed as suggested by the Senator from California and interest be required upon Government deposits.

Mr. FLINT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Illinois yield to the Senator from California?

Mr. HOPKINS. I do.

Mr. FLINT. I simply want to state to the Senator from Illinois that I do not suggest that the criminal law be amended. On the contrary, I do not think it needs to be amended. I was answering the Senator by stating that if his contention were true, all that would be required would be to change one section of the statute.

Mr. HOPKINS. If my contention is true, all you have to do is to make a new criminal code and then let the courts determine whether it can be enforced. It would be an anomaly, I say, to make a criminal of a man who takes money, agreeing to pay interest, if he does not repay that money when demanded.

Mr. FLINT. I want to ask the Senator a question. If the Secretary of the Treasury requires the proper security, as it is presumed he will, how is there any possibility of the Government making any loss in connection with these deposits?

Mr. HOPKINS. The Secretary of the Treasury in 1837, and for a number of years thereafter, while he was making deposits in State banks, supposed he was taking the necessary security to make his Government deposits safe, but there was \$24,000,000 of money in the State banks that the Secretary was unable to get, and that led, as I stated before, to the establishment of what is known as the Independent Treasury system in this country.

Then the Senator from California [Mr. FLINT] interposed again.

I am glad to know, Mr. President, that in this conference report at last a provision has been inserted for the payment of interest by public depositaries on public moneys placed with them. That is the one redeeming feature of the bill. I read this part of the colloquy between the Senator from Illinois [Mr. HOPKINS] and the Senator from California [Mr. FLINT], with a view to asking the Senator from Illinois, hoping he would be here, what he had now to say about that provision in view of the fact that he was so bitterly opposed to putting it in before. [A pause.]

The PRESIDING OFFICER. Does the Chair understand that the Senator from Missouri has yielded the floor?

Mr. STONE. I have not yielded the floor—not yet. I shall do so presently. There are some important matters that I have here that I want placed in the Record.

Mr. President, I hold in my hand several consular reports on money and prices in foreign countries, giving a general idea of the monetary systems of those countries, which, it seems to me, would be very pertinent to this discussion. Here is something concerning the Argentine Republic. Mr. William I. Buchanan, our minister there, has made a report from which I wish to read:

ARGENTINE REPUBLIC.

I have lately received many inquiries from different parts of the United States with regard to the wages paid here in different trades and the effect produced on the earnings of the farmer and workman by the constant fluctuations in the premium on gold. In order that I might reply to these inquiries in the form of a report, I had been collecting information on the subject for several weeks when I received your circular of July 25 regarding the same topic. I beg, therefore, to submit the following, with the explanation that it was prepared before your circular was received.

In all instances I have endeavored to get my information regarding wages and prices from first hands, believing the result would thus be more satisfactory and more nearly correct than it would were I to rely on published statistics. I think the figures given herein can be relied upon, as they have been obtained in each case from responsible sources and from a sufficient number of persons to verify their approximate correctness.

It may be asked whether in the prices quoted I have made any allowance for the changes that must have occurred from year to year in the import duties on and in the foreign cost of articles mentioned. My answer is that I have compared yearly rates of duty for the period covered and find but few changes worthy of note; these I have, in each

case, referred to in a footnote. With regard to the rise or decline in the foreign cost of articles quoted, it can be broadly stated that each change has been in the direction of lowering their cost. With the exception of live animals, this is equally true regarding the exports from this country.

It seems proper in the beginning, in order that the country's present financial system may be better understood, to glance briefly at the history of Argentine monetary standards and financial legislation during the past fifty years.

MONEY IN THE ARGENTINE REPUBLIC.

When the people of this country secured their independence from Spain in the year 1816 they found themselves heirs to a monetary system that had been in existence for more than a hundred years in all the Spanish colonies in South America.

Under that system the Spanish gold ounce and silver peso were the units of value; and inasmuch as this country produced neither gold nor silver and confined its first coinage attempts (in 1813-14) to simply changing the design of the existing Spanish silver peso, the same units remained the measure of values for many years. Indeed it can be said that, notwithstanding the fact, as will be seen hereafter, that the circulating medium of this country up to the year 1881 was a conglomerate mass of foreign coins of all kinds, convertible and inconvertible provincial paper notes, and several kinds of copper token coins, the Spanish-American gold ounce was the final unit and measure of value.

Outside of the province of Buenos Aires, which conducted its affairs until the year 1862 as an independent State, and in which paper money, based on a gold quotation, has been almost the entire circulating medium for nearly sixty years, the remainder of this country was dependent for many years after its independence upon foreign coin for a circulating medium. Owing to the trade that was continually kept up between the northern provinces of this country and their old colonial but new republican neighbors, Chile, Peru, and Bolivia, the new coinage of these latter mineral-producing countries found its way into and became, in fact, the dominating element in the money in circulation in the interior of this country.

This Chilean, Peruvian, and Bolivian coinage consisted of the Spanish-American gold ounce of 27 grams 875 fine, officially valued by this Government in 1855 at \$17, in 1859 at \$16, in 1862 at \$17, in 1863 at \$16, and in 1876 at \$15.75; the Chilean condor, a gold coin of 15.253 grams 900 fine, valued in the years above mentioned at \$10, \$9.30, \$9.75, \$9.25, and \$9.15, respectively; and the Chilean, Peruvian, and Bolivian silver pesos, each of 25 grams 900 fine, valued alike as follows: 1855, \$1; 1875, 92 cents; June 6, 1876, 92 cents; September 18, 1876, 82 cents; 1878, 88 cents; 1879, 82 cents. In addition there were the Chilean, Peruvian, and Bolivian 20-cent pieces of 5 grams each 900 fine, their official value being more or less 2 cents on the dollar lower than the peso.

Unfortunately, however, for the peace of mind of those who had to handle these regular-weight coins, Peru and Bolivia issued pesos and cuatros of a lower weight and put them into circulation with their standard coins. These light-weight coins were of 20 grams 900 fine for the peso, 5 grams below standard, and of 4.491 grams 900 fine for the 20-cent pieces. These coins, or "melgarejos," as they were called, were valued by this Government in 1875 and June, 1876, at 74 cents for the peso; in September, 1876, at 65 cents; in 1877, at 69 cents, and in 1879 at 65 cents.

The name "melgarejo" was given these coins by reason of their having been first coined by a Bolivian President of that name, who induced the people of his country to accept them at par with the Bolivian full-weight coins by shooting several prominent merchants.

That is a very interesting historical statement, that ought to be preserved. I will read that again, so that it will not be overlooked:

The name "melgarejo" was given these coins by reason of their having been first coined by a Bolivian President of that name, who induced the people of his country to accept them at par with the Bolivian full-weight coins by shooting several prominent merchants.

Mr. GALLINGER. Shooting?

Mr. STONE. Shooting.

Mr. GALLINGER. That is interesting.

Mr. CARTER. That is a tragedy.

Mr. STONE. It is tragical, it is interesting, and I am very glad to call the attention of my distinguished friend from Montana to this historical occurrence, which he can use some day to adorn his splendid oratorical flights.

Mr. CARTER. In what jurisdiction did that shooting occur?

Mr. STONE. Somewhere down in Bolivia. The exact spot is not indicated.

Mr. GALLINGER. Were they shot to death, I will ask the Senator?

Mr. STONE. I am going to go a little further, and see if that be true. They were shot.

He thus gave the new peso his name, furnished a good definition for "curso forzoso," and for a time regularized the circulation of the melgarejos. But his success was short lived.

Mr. CARTER. That would indicate that he had received a deadly wound.

Mr. STONE. Mr. President, I must object to too much levity in the discussion of a serious question.

Mr. CARTER. Far be it from me to provoke any levity.

Mr. STONE. To renew the reading:

He awoke one day to realize that commerce paid no attention to his decree giving a fictitious value to a piece of metallic money, the demonstration being the fact that almost all of his short-weight pesos insisted on returning to his own country, while the full-weight pesos left it and found their home in this and other countries.

When the present Argentine coinage law came into force in 1881 these Bolivian coins were a source of great trouble in the operation of the new law, and to withdraw them from circulation Doctor Romero, the minister of hacienda, fixed a price at which they would be received at about 4 cents above their actual value, and within a few months was thus enabled to ship more than \$1,000,000 of them to Europe.

In addition to the above coins, there were in circulation here at the same time the United States eagle, valued at \$10.03 in 1876; the French Napoleon, valued at \$3.87; the English sovereign, valued at \$4.88; the Spanish doubloon, valued at \$5; the Brazilian 20 milreis, valued at \$10.96, together with a considerable amount of United States, Mexican, Central American, French, Brazilian, Belgian, and Spanish silver coins.

The constant fluctuation in the foreign and local value of these different coins was a continual menace to legitimate trading. Not only were they not received at the same value by any two provinces, but very frequently their value was radically different in cities in the same province. For instance, while the generally accepted rate at which the 25-gram silver peso was received in this country in 1876 was 21 to 22 to the gold ounce, a valuation below that fixed officially, as will be seen above, it required in Mendoza 13½ to 15 silver pesos to purchase a Chilean gold condor, worth \$9.15, while the same condor could be purchased in Rio Cuarto, 150 miles from Mendoza, for from 1 to 1½ pesos less.

This confused and confusing condition of the metallic money in circulation in the country up to the year 1881 not only forced merchants and producers alike to submit to ruinous rates of exchange on every hand, but necessitated the settlement of accounts by weight where metallic money was used. In consequence, the scale became a fixture in all countinghouses and shops, and the gold ounce, or some other gold coin, the final arbiter and measure of value, no matter how calculated, whether in silver pesos, "hard" dollars, subsidiary coin, or other moneys.

There is yet to be added to the above chaotic condition the paper money issued prior to 1881 by the Bank of the Province of Buenos Ayres and by those of several of the other provinces.

The issue of the Bank of the Province of Buenos Ayres consisted of an emission of \$795,247,656 of inconvertible paper and about \$10,000,000 of gold notes.

There is a note at this point which I will read:

In describing these notes throughout this report the term "gold notes" is used because of the fact that while in reality "metallic notes," it was always understood that what was meant by the latter term was gold, for the reason, as will be seen herein, that this was the only metal in circulation when they were issued.

Resuming the text:

The first sum was subsequently reduced \$96,790,000 by applying to that purpose part of the customs receipts, the province controlling the custom-house prior to 1862.

By the law of January 3, 1867, the provincial bank was authorized to redeem the above inconvertible notes at the rate of 25 to 1. This it did; but instead of paying out gold it paid out gold notes, which were accepted by everyone without question.

This method of conversion continued for several years. Meanwhile, as a result of the contraction thus brought about in the volume of currency, the wild-cat land boom of 1870, 1871, and 1872, and the Uruguayan crisis, public confidence in the ability of the bank became shaken, as it was seen that, by its course in paying out gold notes for its own paper, it was not accumulating gold to provide for their redemption. This feeling of insecurity grew rapidly. The bank's gold notes commenced to pour over its counters for redemption, and gold began to leave the country. Every effort was made by decrees to stop the outflow, but to no avail; gold rose to a premium, and then came the suspension of conversion on May 16, 1876.

The nation then stepped in and agreed with the province to issue \$10,000,000 of gold notes and to guarantee the \$12,000,000 of gold notes that had thus been issued by the province. All these were made "curso legal" and were accepted at the custom-house to the extent of 50 per cent in any one payment, the remainder to be paid in gold. In addition, the National Government agreed to pay 4 per cent on these notes and to prohibit the issuance of any other notes by any bank in the nation.

On September 29, 1875, a new monetary law was passed and a new unit of value, the peso fuerte, created. This peso fuerte was a gold coin of 1½ grams 900 fine. Notwithstanding the fact that this coin was never issued, it became the measure of value for six years.

With the exception of the influx of some foreign gold, as a result of loans, and saving the wide and erratic fluctuations in the value of all commodities as a consequence of the financial upheaval the country had witnessed, the monetary condition remained unchanged until 1881, when the law was passed creating the present monetary standard.

At that time the financial condition of the country, so far as it relates to its circulating medium, was about as follows:

Fiduciary paper emissions of all provincial banks	\$39,170,000
Fiduciary paper notes of private banks	790,000
	\$39,960,000
Foreign gold in Buenos Aires banks	8,939,583
Argentine gold in national bank	900,000
Silver in provincial banks	2,355,233
Silver estimated to be in circulation	4,000,000
	16,194,813
Making a total of	56,154,816

I will read the résumé and lay aside this interesting document from the pen of our able and accomplished minister.

Mr. CARTER. The present minister, or Mr. Buchanan, the former minister?

Mr. STONE. The former minister, Mr. Buchanan.

As will have been seen from the above, the national currency is inconvertible paper, with no redemption fund behind it other than the good faith of the nation.

It is a legal tender at par for all debts, except the payment of customs dues, for which it is daily received at a changing rate based on the current gold premium.

Under the monetary law of 1881 the nation has issued to August 1 of this year \$31,716,545 in gold coin, \$2,805,839 in silver coin, and \$876,871 in copper coin.

No silver is in circulation, for the reasons given herein, and very little exists in the country, certainly not above \$100,000.

Counting the national gold currency and the national inconvertible paper currency both at par, and the population of the country at 4,100,000, gives a per capita circulation of \$80.

The amount of gold estimated to be in the country at this time is \$25,000,000.

The gold rate advanced from 1.40 in January, 1886, to 4.20 in May, 1894, and has declined between the latter date and the present month to 2.70.

There is something here about wages, the prices of commodities, and so on, but I want to read only those things particularly pertinent to the question under consideration—matters relating to finance. So I will pass this over. I may have occasion to go back to it a little later on, on other phases of the subject, but not now.

Here is a report from Daniel W. Maratta, consul-general at Melbourne. He gives very valuable information concerning the financial system in vogue in New South Wales and Australasia generally. He says:

AUSTRALASIA.

NEW SOUTH WALES.

In accordance with the instructions contained in the circular of July 25 and received at this consulate on the 1st instant, I have now to report as follows:

I.—Standard of value.

Gold is the only standard metal in New South Wales. Sovereigns and half sovereigns are legal tender to any amount, provided that the pieces are not worn below 122.5 and 61.125 grains, respectively. The standard fineness of gold is eleven-twelfths fine gold, or decimal fineness 0.91666, and one-twelfth copper alloy. Silver coinage is legal tender to the amount of 40 shillings (\$9.74) only. The standard fineness of silver is fixed at thirty-seven fortieths fine silver, or the decimal fineness 0.925, and three-fortieths copper. Bronze coin is legal tender to the amount of 1 shilling (25 cents). Bronze is a mixed metal, 95 parts copper, 4 parts tin, and 1 part zinc. The coinage act does not prescribe the proportions, but the alloy used is as stated. The foregoing is based upon statute law (colonial) passed in 1854 and exists in practice.

The above information has been obtained from the reports of the royal mint.

II.—Amount in circulation.

The total amount of money in circulation in New South Wales, specifying the amounts in gold coin, in silver coin, and in paper, for 1894 was as follows:

Gold	£1,790,000—\$8,699,400
Silver	350,000—1,701,000
Bronze	30,000—145,800
Note issue	1,153,250—5,604,795
Total	3,323,250—16,150,995

These are all bank issues. There is no State issue at present in this colony. The notes of the banks are payable to bearer on demand in gold or silver coin, according to the wish of the holder. These notes have no special provision for their redemption, neither are they legal tender in New South Wales.

III.—Per capita circulation.

The estimated population of New South Wales on June 30, 1896, was 1,289,770, so that the amount of money in circulation, £3,323,250 (\$16,150,995), was £2 11s. 6.24d. (\$12.53) per capita. (From government statistician of New South Wales.)

IV.—Changes in the system.

There has been no change in the monetary system of this colony, except that the notes of the banks of issue have ceased to be legal tender by effluxion of time. These notes, under the authority of the bank-note act, 1893, of the colonial legislature, were legal tender within New South Wales from April 9, 1894, to October 9, 1895, except at the head or chief offices of the banks in Sydney. At the expiration of this period the legislature did not deem it necessary to renew these provisions, which accordingly lapsed. At the most acute stage of the financial crisis of 1893 the colonial legislature passed a measure of relief called the "bank-issue act of 1893," which constituted the notes of banks named therein a legal tender as well as a first charge upon the assets of a bank in case of liquidation. It was partly in substitution of this measure that the bank-note act of 1893 was passed.

The balance relates to manufactures and wages, and I think I will pass it over, and then I shall have something to say about the money standard in New Zealand:

NEW ZEALAND.

I.—Standard of value.

Gold is the standard of value in New Zealand, the British system of coinage being in full force.

II.—Amount in circulation.

The approximate amount of gold coin in circulation is £100,000* (\$500,000); of silver coin, £75,000 (\$375,000), and of bank notes £965,000 (\$4,825,000).

The Government issues a limited quantity of postal notes through the post-office, which are found to be very useful in the transmission of money by business people. These postal notes are received at the banks the same as any other form of bank note, but are not held by any of the banks for any length of time for the reason that there is no special provision made for their redemption. Neither is there any restriction on the issue of bank notes, which are, however, a first charge on the assets of the issuing bank. Notes are payable in gold only at the branch of the bank from which they are dated—usually one of the four chief centers of population in the colony. The banks pay the Government a tax of 2 per cent per annum on their circulation, estimated quarterly on the average weekly circulation, which must be sworn to by one of the principal officers of the bank. The banks of the colony hold in coin £3,202,000 (\$16,010,000), of which about £3,125,000 (\$15,625,000) is gold.

III.—Per capita circulation.

The average circulating medium per capita is about £1 12s. 4½d. (\$7.88). The reason for this small average per capita is wholly due to the extension of the check system, which is used in payment of

* In his reductions the consul values the pound sterling at \$5; the United States Treasury valuation is \$4.866½.

even small accounts. A person rarely pays an account exceeding £1 except by check. The check system does not, however, apply so much to the business transactions of the working classes as it does to business people and the well to do, who invariably discharge their liabilities in this manner.

IV.—Coinage.

There are no mints in the colony; gold is coined at the mints in Sydney and Melbourne, in the neighboring colonies of New South Wales and Victoria. Only gold bullion is received, gold being paid for at the rate of £3 17s. 10½ d. (\$18.93) per ounce of the fineness of .9166, and the silver contained in the bullion at the rate of 1s. 9d. per ounce fine (44 cents), less a small charge for mintage.

V.—No change in the system.

As there has been no change in the monetary system of the country, as regards the abandonment or curtailment of the use of silver or paper currency, no statement can be made as to the effect of the present system (gold standard) on manufacturing industries and the prevailing rates of wages, beyond saying that the country is prosperous.

That is all there is on the subject of finances there. Here is an interesting little item about Victoria:

VICTORIA.

I.—Standard of value.

The standard of value in the currency of the colony of Victoria, like all the Australasian colonies, is exactly the same as the British standard, viz, the gold sovereign, with subsidiary coinages of silver and bronze, silver being legal tender to 40s. (\$9.73) and bronze to 1s. (24 cents).

II.—Amount in circulation.

There are absolutely no data upon which to base an estimate of the amount of money in circulation. The Government statist, however, gives the amount of gold, silver, and other metals in Victorian banks and the amount of notes in circulation (payable on demand in gold) at the end of 1895 as follows: Coined gold, silver, and other metals in banks of issue, £7,751,782 (\$37,723,947); notes in circulation, £960,300 (\$4,673,300).

III.—Per capita circulation.

These figures show the following:

Average per head of the population of the amount held by the banks	£6 11s. 2d.—\$31.90
Average per head of the notes in circulation	16s. 3d.— 3.95

Total per capita circulation 7 7s. 5d.— 35.85

There are no government notes in circulation in Victoria, these notes being issued by the banks of the colony, upon whose assets they are a second charge, the debt to the government, if any, ranking, first. But as the amount of notes in circulation is at all times small in comparison with the amount of gold usually held by the banks, ample provision is made for their redemption.

IV.—No change in the system.

There has been no change in the monetary system of the colony in the abandonment or curtailment of the use of silver or paper currency.

That is all there is upon that subject as to that colony. Here is another article of later date, made in 1896, from another minister of the United States to Bolivia, Mr. Thomas Moonlight:

It is not possible to answer in full, or even clearly, many of the points suggested, as there are very limited financial statistics for Bolivia, practically none on agriculture and none on manufacture. I have conversed with many intelligent men on the subjects embraced in the Department's instruction, and impart the information based on the best authority obtainable. I am quite sure it will be found reasonably reliable.

I.—Standard of value.

The standard of value in Bolivia is and always has been the silver unit, and the following letter from the director of the mint at Potosi, under date of September 9, 1896, will show the number of grams of fine silver in the boliviano, and the alloy; also the different pieces coined, with the amount of fine silver and the alloy in each:

"SIR: I have the honor to answer your attentive note of the 19th past, giving a solution to your questions. At present bolivianos are not coined, but those which some time ago were coined had the weight of 25 grams, of which 22.50 were fine silver and 2.50 of copper alloy, so that the bolivianos were hard. At present there are only coined one-half and one-fifth bolivianos, with the ponderal tolerance of 8 per cent, so that the one-half boliviano has a weight of 11.50 grams; that is, 10.35 fine and 1.15 copper. The one-fifth of a boliviano has 4.60 grams, or 4.14 fine and .46 copper.

"ADOLFO BONIFAZ, Director."

The actual value to-day in London exchange is 20 pence (40 cents) for the boliviano of 319.4486 grains troy of fine silver, but it is continually fluctuating.

The silver unit is determined by law and exists in practice.

The Government coins all the silver at the Potosi mint, but the 5-cent and 10-cent nickels, to the amount of nearly 500,000 bolivianos, were ordered in Europe. To supply the Potosi mint with silver for national-coinage purposes all silver reduction works are required to send one-fifth of their production to the mint, and the Government pays with paper from the banks at something less than the current market value of silver; but the law is continually evaded, and when there is not in the mint silver for coinage as the banks require it they have to buy in open market and pay for the coinage.

II.—Amount in circulation.

The total amount of money in circulation is as follows: Gold coin, none; silver coin, about 4,500,000 bolivianos (\$2,205,000), including the nearly one-half million in nickel money; paper money, 5,200,000 bolivianos (\$2,548,000).

Of the 4,500,000 of silver coin in circulation, including the nickels, the banks hold about 2,000,000 (\$980,000) as a redemption fund, and the balance of 2,000,000, which is only a supposition based upon the best information, is used in the small hand-to-hand trading, mostly outside of the banks.

The banks of Bolivia are chartered by the General Government and are of two classes, viz, banks of emission, deposit, and discount, and

mortgage banks. At present there are two of the former and three of the latter, with branches in all the leading cities of the country, as will be more fully shown by the semiannual reports up to June 30, 1896, for which and much valuable information I am indebted to Mr. Thomas H. Moore, of Sucre, connected with the Banco Nacional.

The Government issues no paper money; there are no private banks, and the two chartered banks, the Banco Nacional and the Banco Francisco Argandoña, issue all the paper money in circulation as authorized by law up to 150 per cent of their paid-up capital or paid-up capital stock, and the same must be redeemed in silver when called for. The Government receives semiannually from these banks for the charter privilege, at the rate of 9 per cent per annum on all profits, and assumes no risks, no liabilities, and no responsibilities, but employs an inspector to examine into the affairs of the banks; and the banks must make semiannual statements to the Government, which are embraced in the annual reports of the minister of finance. These profits to the Government reach to nearly 60,000 bolivianos (\$29,400) a year. Without banks of issue no business could be carried on, because the silver disappears nearly as fast as coined. The banks receive very little silver in deposits and have to supply themselves from the mint from time to time, at quite a loss sometimes, so as to keep up the redemption fund, which, it will be seen, is not over 40 per cent of the outstanding paper.

Now, here is a peculiar feature of this system down there:

MORTGAGE BANKS.

Of these there are three, the Credito Hipotecario de Bolivia, the Banco Garantizador de Valores, and the Banco Hipotecario Nacional. The first has branches in all the leading cities, the second is in Sucre and has no branches, and the third is in Cochabamba, with only an agency in La Paz.

These banks have no power to issue money or do a general banking business, and are chartered by the General Government to do only a mortgage business, which is very profitable. The rate of interest charged is usually 10 per cent, and one-half per cent commission. The Government exacts, as in the case of the banks of issue, 9 per cent annually, paid semiannually, of all the profits and in addition 60 cents (29.4 cents United States) on every 100 bolivianos (\$4.90) of interest—that is, the holder of the mortgage bonds has to pay to the Government through these banks where all the business is transacted 6 bolivianos (\$2.94) out of every 100 bolivianos (\$49) he receives in interest. The annual profits of the Government are about 50,000 bolivianos (\$24,500), without any risk or responsibility, as in the banks of issue, except the same inspector. Attached find official semiannual statement of the banks of issue, through the kindness of Mr. Moore; also find attached official semiannual statement of the mortgage banks, through the kindness of Mr. Moore.

III.—Per capita circulation.

There is no way of arriving at the exact amount of money in circulation per capita. Approximately it is less than 4 bolivianos (\$1.96). There never was a reliable enumeration of the inhabitants, and practically no pretense at classification; but it is generally believed that there are less than 2,000,000 of people, of which one-half are civilized Indians. The wild Indians on the headwaters of the Amazon are not considered. The most of these civilized Indians are under a sort of a semisystem of peonage, and they, with the Cholos, or half-breeds, are great hoarders of silver, so that not more than 2½ per cent of the silver coinage of the country for the seventy-one years past can be considered in circulation or can be reached for the ordinary purposes of business. Of course much of this coinage has been shipped out of the country, although the Government places a tax of 4 per cent on all coin exported; but the law is evaded in nearly every instance. The best informed believe that at least 15 per cent of the entire silver coinage for the seventy-one years is hoarded and hidden away in small amounts among the Indians and Cholos.

There have been no dollar pieces of silver coined for some years, and they are now very rare. There has been no coinage of gold for forty years, and it is almost impossible to procure a gold coin of any denomination. The coinage of gold was never at any time of any importance. The total coinage of gold, commencing in 1831, was only 2,435,864 bolivianos (\$1,193,573). A boliviano (49 cents in United States) is 100 cents.

That is all dealing with the financial situation down there. I think if we get these systems before the Senate it may serve a good purpose by way of comparison and aid us in the work we have to do in reforming our monetary system. We are entering upon the policy now of having the Government abdicate the sovereign function of coining and making money and of delegating that high prerogative to a few national banking associations. It is opportune, therefore, that we should study the financial systems of the world.

Now, here is something from Brazil:

Law No. 514 of October 24, 1848, originates the present monetary system. Gold is adopted as the standard, with silver as subsidiary. The ratio of 15½ to 1 between the two metals is fixed and silver made legal tender to the amount of 20 milreis (par, \$10.80).

Neither gold nor silver circulates, the depreciation of the paper currency having driven both metals from the country.

II.—Amount of circulation.

The paper circulation on December 31, 1895, as given in the report of the treasury department, was:

	Milreis.
Government notes	337,351,527
Bank paper	340,714,370

Total 678,065,897
equivalent to \$135,613,179.40 United States currency.*

Now follows a table which I will have to ask permission to have inserted in the Record.

Mr. BURKETT. I think I will object. I think I should like to have the Senator read the paper.

* This makes the paper milreis worth 20 cents, while the gold milreis is valued at 54.6 cents.

Mr. STONE. It is too complicated. I will just have it put in the RECORD:

Year.	Volume of currency.	Exchange.
	<i>Milreis.</i>	<i>Pence.</i>
1876	149,379,750	27 to 23
1877	149,347,859	25 to 23
1878	181,279,057	24 to 21
1879	189,253,354	23 to 19
1880	188,199,591	24 to 19
1881	188,155,455	23 to 20
1882	188,110,973	22 to 20
1883	188,041,087	22 to 21
1884	187,936,661	22 to 19
1885	187,843,725	19 to 17
1886	194,282,585	22 to 17
1887	184,335,294	23 to 21
1888	188,961,263	26 to 22
1889	179,371,166	28 to 24
1890	171,031,414	26 to 20
1891	171,031,414	21 to 10
1892	215,111,964	16 to 10
1893	285,744,750	13 to 10
1894	367,358,652	13 to 9
1895	337,351,527	11 to 9

It will not, however, be fair to assume that the constantly increasing volume of paper has alone lowered the rate. The causes are manifold, but those that made an additional issue necessary have tended to lower the rate of exchange.

The evils—

I wish to direct the attention of the Senator from Nebraska to this language—

The evils of a depreciated currency are so well known in our country, especially to the older generation, that it is unnecessary to detail them here.

Mr. BURKETT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. STONE. Certainly.

Mr. BURKETT. I am satisfied the Senator does not want to create a wrong impression in this body. I think it is only fair to the Senate, since perhaps nobody may have access to the document he has imported for this occasion, as I do not suppose there is another volume anywhere in this country except the one the Senator has—

Mr. STONE. It is the only one I know of.

Mr. BURKETT. It is the only one the Senator knows of, and I think he ought at least to be fair in this matter and read the entire document, because it does create a wrong impression in omitting the tables referred to in what the Senator previously read.

Mr. STONE. I had unanimous consent to insert the tables.

Mr. BURKETT. I did not observe that. Of course if unanimous consent is given to insert them it is all right.

Mr. STONE. I assumed that I had it. I said that by unanimous consent I would insert it, and nobody objected. If the Senator objects—

The VICE-PRESIDENT. Is there objection to the request of the Senator from Missouri?

Mr. BURKETT. I should like to hear the table read. I think it ought to be read.

The VICE-PRESIDENT. Objection is made.

Mr. STONE. Mr. President, I must decline to read it, but I will loan this book to the Senator when I have concluded this comprehensive argument.

Mr. BURKETT. Will it shorten the Senator's speech if I let him insert it all in the RECORD?

Mr. STONE. Oh, no. I want to read it so that the Senate may have the immediate benefit of such instruction as these articles can impart.

Now, here is the per capita circulation:

III.—Per capita circulation.

The population of Brazil is estimated at 15,000,000; with a gross circulation of 678,065,897 milreis. There is a per capita circulation of 45.200 milreis, equivalent in United States currency, estimating the milreis at 9 pence (18 cents) to \$8.11.

IV.—Changes in the system.

There has been no material change in the monetary system of Brazil recently, although every effort is being made to again reach a metallic basis—

Here we are going to a wild-cat asset currency. Our Republican friends are changing positions on many questions—

The constantly maturing obligations of the Government abroad, the large imports, and the returns on foreign capital invested here make Brazil a large debtor nation.

Mr. BURKETT. I have not yet understood just the Senator's position. He complains of this bill and of what has been done. Which position does the Senator take? Do I understand him to take the position that no legislation is needed?

Mr. STONE. Oh, I think we ought to have some legislation. Mr. BURKETT. Then I will ask the Senator what bill that is pending or what kind of legislation does he think better than this legislation?

Mr. STONE. I think none could be worse than this.

Mr. BURKETT. That might be, but the Senator does not answer the question. What is better?

Mr. STONE. We will take that up presently. The Senator is trying to divert me from the line of my argument.

Mr. BURKETT. No; I am trying to reach in this discussion the best possible legislation we can get.

Mr. STONE. I will say this to the Senator in general terms, that if additional money is needed for the uses of our business and the maintenance of our commercial interests or for any reason the Government of the United States ought to exercise its constitutional sovereign function and make the money our people have and not transfer or delegate that sovereign right and function to an individual or a corporation.

Mr. BURKETT. Does the Senator refer to what are commonly known as "greenbacks?"

Mr. STONE. Yes; greenbacks are all right. I have no objection to greenbacks. Has the Senator from Nebraska? Does the Senator from Nebraska lift his voice against greenbacks as an unsound currency?

Mr. BURKETT. He does not.

Mr. STONE. Which would the Senator from Nebraska rather have, which does he think would be better, a currency provided by the Government itself or a currency provided by a corporation?

Mr. BURKETT. I will say to the Senator that the question is a double one. He asks me if I like greenbacks. I take it, of course, that the greenbacks we are now having are no other than stable currency. Yet, in my opinion, this bill meets the condition a good deal better than a still further extension of greenbacks.

Mr. STONE. I am very much obliged to the Senator for helping me along with this matter.

Mr. President, I want to read now for the information of the Senate the official statement furnished from Cape Colony. Before I do that, it has been suggested to me aside to make an inquiry of my distinguished friend from Nebraska. He wanted to know my position, and I want to know his, because he is a wise legislator and a very experienced one, and it might help me very much in walking the devious path that is being marked out to have his enlightened opinion distinctly and clearly expressed. I desire to ask the Senator from Nebraska if he favors railroad bonds as a basis for bank currency. If the question is embarrassing, I will not press it.

Mr. BURKETT. Did the Senator ask some question?

Mr. STONE. I did ask a question.

Mr. BURKETT. I did not hear the Senator.

Mr. STONE. I asked the Senator to state whether he favors railroad bonds as the basis for a currency.

Mr. BURKETT. I will say to the Senator that I did not originally, and I was one of those who did what I could to help keep it out of the original bill. But after we got it out we had no support for that bill, as I recollect, from the Senator from Missouri.

Mr. STONE. I was opposed to the whole bill, and I am yet. Has the Senator from Nebraska changed his views? Is he now in favor of railroad bonds as a basis for currency?

Mr. BURKETT. I will say to the Senator that I am not.

Mr. STONE. You are not?

Mr. BURKETT. No, sir; I am not; but I will say to the Senator that there are restrictions which are thrown about the possibility of using railroad bonds in this bill, and it is a good deal different bill even from the provision originally suggested and planned in the other bill.

Mr. STONE. The Senator favors it in its present form?

Mr. BURKETT. Yes, sir.

Mr. STONE. Well, we have got that much information. It might have a good deal of influence on many people to know that the Senator thinks that way.

Now, I am going to read something for the Senator's attention, returning to the coining system in Cape Colony:

CAPE COLONY.

I.—Standard of value.

The standard of value throughout South Africa (save the Portuguese protectorates) is the British pound, gold.

II.—Amount in circulation.

The total amount of money (coin) in circulation it is impossible to arrive at, owing to the shifting nature of the population, the fondness of country people for hoarding coin in old stockings, holes in the ground, and other hiding places; but the totals given below are approximately correct, the figures being partly from official sources and partly the result of special inquiries.

On June 30, 1896, the returns of the five banks doing business in Cape Colony were—

	English currency.	United States currency.
Assets:		
Paid-up capital and reserve.....	£3,630,687	\$13,153,435
Notes in circulation.....	1,519,666	7,598,330
Fixed deposits.....	6,238,340	31,191,700
Floating deposits.....	19,516,919	97,584,595
Liabilities:		
Coin in coffers of these banks.....	7,914,426	39,572,130
Government securities.....	2,827,403	14,137,015
Bills under discount.....	6,415,314	32,076,570
Advances and loans other than bills discounted.....	10,896,790	54,483,950

Here follows a table. If the Senator from Nebraska insists upon it, I will read it, or I will have it inserted in the RECORD.

Including miscellaneous items not mentioned above, the total of the liabilities and assets of these banks was returned on June 30 last as £40,976,624 (\$204,883,120).

The Cape government issues no notes. The standard banks of South Africa, are the Cape government bankers.

The Cape Colony laws require every bank doing business within the colony to deposit with the treasury government securities to the amount of its note issue; but in case the securities so deposited should be found insufficient to cover all notes issued, the colonial government has a first lien upon the assets of the bank in respect of any deficiency. The notes issued by the various banks are for £20 (\$100), £10 (\$50), £5 (\$25), and £1 (\$5), respectively, and these notes are legal tender at all places except the head office of the issuing bank, where they are redeemable in sterling gold.

The remainder of that article concerns wages and the prices of commodities, which are not exactly pertinent to this discussion.

Now I come to consider the monetary system of China—

Mr. BURKETT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. STONE. I do.

Mr. BURKETT. Do I understand the Senator from Missouri to favor the Cape Colony monetary system and the monetary system of China over the monetary system of the United States?

Mr. STONE. No; the Senator does not understand that; at least I did not intend that he should. My purpose, as I have stated, is, in reading from this volume, to get before the Senate the various monetary systems in vogue in the different countries of the world. There seems to be a pretty widespread belief that the system we have built up here in this country is inadequate, that it is very defective. We are now entering, through this measure, upon the work of reforming and re-creating, or newly creating, a financial system. Now, does it not occur to the Senator from Nebraska that when he comes to so great and important a work as that of making a new financial system for this Government, with its virile, active, intense population, we ought to study the systems prevailing in other countries. I am reading this into the RECORD so that the Senator from Nebraska and others may have the benefit of it.

Here is a report signed by Mr. Charles Denby. This is what he has to say:

I.—Standard of value.

No standard of value and no unit of value are established by law in China. The money of the country consists of gold, silver, copper, and paper. Gold and silver are commodities which circulate by weight. The ratio of value between them fluctuates constantly.

Copper is coined into small coins, about 1,260 of which are worth one Shanghai tael, or ounce, of silver, Shanghai weight, the Shanghai tael being now worth 73½ cents United States currency. The real standard of value in China for small transactions in copper, which has been used many centuries in the payment of wages, in the purchase of food, etc. The stability of the copper currency is accounted for by the fact that the goods it is employed to represent commercially remain just what they were year by year. Rice and wheat are brought to market every season after the employment of the same amount of labor and skill on the part of the farmer, and their value is practically measured by the same amount of coin.

In practice, silver by weight is the standard for all commodities bought in large quantities, interchanged between provinces, or imported from abroad.

The standard of value in China is therefore copper coin locally and for small transactions, silver by weight for larger commercial transactions and trade between distant places.

The commercial supremacy of Shanghai makes the Shanghai tael, or ounce, practically the standard for other places. It is 513.0572 grains silver fine and its actual present value, London exchange, is 2s. 11.1715d. (71 cents).

II.—Amount in circulation.

No statistics exist as to the amount of money in circulation, and no estimate can be made. No paper money is issued by the Government. No provision is made by law for the redemption of the paper notes of the private banks. Their circulation rests on the credit of each bank.

It seems to me as if we were heading that way.

III.—Per capita circulation.

The amount of money in circulation per capita can not be ascertained.

IV.—Changes in the system.

There has been no change in the monetary system of the country in recent decades, nor has there been any abandonment or curtailment of the use of silver or paper currency. Mints have been established by

imperial decree for the coinage of silver dollars and subsidiary silver coins. These circulate at their value as bullion in the cities of China. On account of the greater convenience of coined money, the tendency is to its wider adoption.

V.—Currency and wages.

It is noticeable that while silver has depreciated abroad, its purchasing power in China for articles of domestic production and its value for the payment of wages have not diminished. The appreciation of gold abroad, enhancing the cost in silver of manufactured articles, has tended, however, to stimulate the manufacture of such articles in China. This is particularly noticeable in the cotton trade, and the same cause will produce like effects in other industries. The wages of skilled and unskilled labor have not been increased, but the creation of manufacturing industries has opened a new field to labor, the greater extension of which may lead to higher wages.

The actual rate of wages in China seems small to one unacquainted with the cheapness of the necessities of life here and unfamiliar with the narrow scope of a Chinese laborer's needs. Agricultural laborers are paid in copper the equivalent of about \$1.50 to \$2 United States currency per month. Unskilled laborers in the city are paid about 2½ cents per diem and supplied with two meals. Skilled carpenters receive 20 to 30 cents per day, masons and painters the same, domestic servants \$3 to \$10 per month, hostlers \$3.50 per month. In all branches of labor it is difficult to give exact figures. The minimum at which a laborer can be hired is the actual cost of the most frugal subsistence.

It goes on, then, into the question of wages and the prices of commodities, which I will omit; and I will take up Hongkong. Hongkong is a very beautiful town—one of the most beautiful in the world.

Mr. OVERMAN. An English town?

Mr. STONE. Yes; it is an English town, governed by the English. The English have a governor and other officials there. This report proceeds:

I have the honor to make the following report upon the currency of Hongkong in compliance with Department circular of July 25:

I.—Standard of value.

The currency of Hongkong is a silver one, the Hongkong, British, and Mexican dollar being a legal tender, but of these the first named has almost disappeared. The standard coin of Hongkong, as laid down by an order of Her Britannic Majesty in council, dated February 2, 1895, is the Mexican dollar of 417.74 grains standard weight, 902.7 millesimal fineness, while the British and Hongkong dollars are scheduled as additional coins, and each of 416 grains standard weight and 900 millesimal fineness.

II.—Amount in circulation.

As to the total amount of silver coin in circulation in the colony of Hongkong, it is not possible to form any accurate estimate. The average bank notes in circulation are published every month in the Government Gazette and in the local press.

In respect of the note issue, the issuing banks have to deposit with the Government in silver and approved securities one-third of the amount of the notes issued and pay a duty to the Government of 1 per cent per annum on the average issue.

The following are the returns of the average amount of bank notes in circulation and of specie in reserve in Hongkong during the month ended July 31, 1896, as certified by the managers of the respective banks:

Bank.	Average amount.	Specie in reserve.
Chartered bank of India, Australia, and China.....	\$1,856,748	\$1,000,000
Hongkong and Shanghai Banking Corporation.....	4,632,672	2,500,000
National Bank of China (Limited).....	375,976	285,000
Total.....	6,865,396	3,785,000

It is utterly impossible to give any reliable estimate as to the per capita circulation of Hongkong; and it is a great pity.

Now, Mr. President, we will go over to Europe for a little while. First, let us take up Denmark:

I.—Standard of value.

The standard of value in Denmark is gold; the unit of value (kroner, in the plural kroner) is fixed by law. Gold coins are made in 10 or 20 kroner pieces only. Silver coins are in pieces of 2 kroner, 1 kroner (nominal value, 100 øre, 50 øre, 25 øre, and 10 øre. The actual value of the metal in the silver coins is far below the nominal value at the present market rate of silver; indeed, the 25 øre and 10 øre pieces are composed mainly of copper or some other base metal, as clearly indicated by their appearance.

II.—Amount in circulation.

The estimated circulation is:

Gold coin (about 5,000,000 kroner).....	\$1,340,000
Silver coin (about 18,000,000 kroner).....	4,824,000
Bank notes (about 80,000,000 kroner).....	21,440,000

Total circulation..... 27,604,000

The bank notes are issued exclusively by the National Bank, but they are not notes of the State. The bank alone is responsible for them. They are redeemable in gold on demand. The bank gold reserve is about 60,000,000 kroner (\$16,080,000).

III.—Per capita circulation.

At the last census, in 1890, the number of inhabitants was given at 2,172,000, which would give about \$12.70 per capita of money in circulation.

IV.—Changes in the system.

The standard was changed from silver to gold, and the unit of value from rix-dollar to kroner by legislative act May 23, 1873. One of the reasons for changing the unit of value was to introduce the decimal system and bring the currency of the three Scandinavian countries into harmony, which was effected by that act. Opinions now vary as to what reasons impelled the change of standard.

V.—Whether mints are open to both metals.

The royal mint coins only gold for the public. The mint price is 2,480 kroner (\$664.64) per kilogram fine gold, as fixed by section 2 of the mint act. The charge for coinage is one-fourth of 1 per cent for 20-crown pieces and one-third of 1 per cent for 10-crown pieces.

Now, Mr. President, for the better enlightenment of the Senators who are giving me their very close attention, I want to read them a little about the monetary system of India.

Mr. KEAN. Mr. President, has the Senator—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. STONE. I do.

Mr. KEAN. Did I understand the Senator from Missouri to say that he was about to conclude? He began at 7 o'clock this morning, and I thought he was going to speak briefly on this subject. It is now 11 o'clock.

Mr. STONE. Mr. President, what did the Senator say?

Mr. KEAN. I did not know whether I understood the Senator from Missouri to say that he was about to conclude.

Mr. STONE. I do not know what the Senator understood. I know what I said; I did not say that.

I.—Standard of value.

The standard of value throughout India is a silver unit, i. e., the rupee; standard weight, 180 grains troy; fineness eleven-twelfths, 165 grains silver, 15 grains alloy. Its sterling value at to-day's rate of exchange on London is 1s. 2½d. (28.8 cents). The unit is determined by law and exists in practice. (Sec. V, act 23 of 1870, of Governor-General in Council.)

II.—Amount in circulation.

The total amount of money in circulation is 1,539,406,990 rupees (\$363,300,050) made up as follows: Paper currency (notes), 259,406,990 rupees (\$61,220,050), as shown in the report of 1895-96 from the head commissioner of the paper currency department to the secretary, government of India; silver coin, 1,280,000,000 rupees (\$302,080,000), as shown in the latest statement of accountant-general.

The paper currency department of the country is divided into eight circles, viz: Calcutta, Allahabad, Lahore, Bombay, Karachi, Madras, Calcut, and Rangoon. The government paper is issued direct by the government, one-half the value of which is held in actual coin or silver bullion.

Mr. KEAN. Mr. President, let us have order. It is very difficult to hear the Senator from Missouri.

The VICE-PRESIDENT. The Senate will be in order.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Oh, the Senator from Rhode Island always has the floor.

Mr. ALDRICH. From what particular document is the Senator now reading?

Mr. STONE. From which one?

Mr. ALDRICH. Yes.

Mr. STONE. I will give the Senator the official title. It is a document to which I invite the careful and prayerful attention of the Senator from Rhode Island. It is entitled "Money and Prices in Foreign Countries," and it contains reports from ministers and other American representatives in many foreign countries on the different systems of finance prevailing in those countries; and I stated a moment ago—

Mr. ALDRICH. I was laying the foundation for a question. I will ask the Senator if it would inconvenience him to have this public document printed in the Record?

Mr. STONE. Will it inconvenience me?

Mr. ALDRICH. Yes.

Mr. STONE. To have the extracts printed?

Mr. ALDRICH. To have them printed. I did not know but that the Senator might prefer that course.

Mr. STONE. I am having them arranged now for printing. I am trying to get them in. [Laughter.] I am putting them in order, so that they will be convenient for the use of the Senator from Rhode Island. He is making us a new monetary system, and I thought he would like to familiarize himself with the systems of other countries.

III.—Per capita circulation.

The amount of money in circulation per capita of population is 5.35 rupees (\$1.26), being based on the census of 1891, which is the latest.

That is almost as bad, indeed a little worse, than it is in the Philippines. I think there is about \$2 per capita in the Philippines. By the way, speaking of the per capita circulation in India—

Mr. ALDRICH. In England?

Mr. STONE. In India. We will get them all, and come to England presently. In India I found the per capita was about a dollar and twenty-six cents, and I remarked that that was really a little worse than it is in the Philippines, where, I think, they have about \$2 per capita; and now I desire to propound an inquiry to my distinguished friend, the chairman of the Finance Committee, in order to ascertain whether Philippine railroad bonds, if held by banks up here, could be used as a basis for emergency currency?

Mr. ALDRICH. Mr. President, in what part of the bill does the Senator understand that Philippine bonds are provided for?

Mr. STONE. Under the terms "securities." If they were held by a national bank and had a market value—and I suppose they would have—I am inquiring whether they could be used as a basis for currency, not that it makes any particular difference, so far as the bill is concerned, but it might be of some value to the people of the Philippines to know about it.

Mr. ALDRICH. To know who holds them?

Mr. STONE. To know whether the bonds are available as a basis for currency.

Mr. ALDRICH. I understood the Senator from Missouri, who is good enough authority for me, to say that they would be.

Mr. STONE. Do you say they would be?

Mr. ALDRICH. I should agree with the Senator from Missouri upon that point.

Mr. STONE. That they would be?

Mr. ALDRICH. Yes; under the general provisions of the first section of this bill, but not under the Senate bill.

Mr. STONE. Well, that will be good news, perhaps, to the Filipinos.

Now, Mr. President, it might be edifying to look a little bit into the financial system prevailing in Japan.

This report about Japan was made by a consul-general, I believe:

To make an adequate and impartial report on the subject of the currency of Japan in relation to the industry and prosperity of the country is a matter of no little difficulty. The battle of the standards, though not fought with that vigor in oriental nations that we find in the nations of the West, is nevertheless of sufficient importance to divide parties into two main groups. The result is, that in making what would appear to be a bare statistical investigation men's minds are frequently influenced by a bias, conscious or unconscious, and their conclusions are affected by their preconceived notions. Some writers even defend this position. They declare that statistical inquiries can be made instructive only when based on a certain general theory, and that without some postulate or point of view already formed no useful conclusions can be established. However this may be, the general purpose of this report is to eliminate, as far as possible, the element of personal equation, and to give a strictly impartial account of the financial and industrial conditions of Japan. No one is likely to succeed in divesting his mind entirely of some element of preconception, but he can at least steadily aim to be as impartial as possible. Accordingly, in the following report it has been a constant purpose to omit disputable points; to confine the inquiry to matters of general agreement; to let facts, as far as possible, speak for themselves, and to avoid all arbitrary conclusions.

I.—The money standard of Japan.

Japan is a practical example of a country under the silver standard, the unit of value being the Japanese dollar or yen, weighing 416 grains, nine-tenths fine, or 374.4 pure. The standard coin of the Empire is therefore slightly heavier than the American silver dollar. This silver yen is unlimited legal tender, and its exchange value at the present date (September 19, 1896) on London is 2s. 1d., and on New York \$0.51. At the present rate, therefore, we may say that the American gold dollar is, roughly, equivalent to two Japanese silver dollars. For practical purposes the silver yen is the complete standard unit of value. All business, all industry, all banking, commerce, and, with one exception, all national obligations are conducted on a silver basis. Legally, however, Japan may be said to be a bimetallic country, as the gold yen, containing one and a half grams of pure gold (20-yen piece=30 grams pure), is also legal tender.

There have been some material changes since it was written. Still it is historically interesting.

The history of Japanese currency during the past thirty years is very complex, and if given in detail would require a volume. For the purpose of this report it is sufficient to say that, in 1871, the Japanese Government, under foreign, and at that time chiefly American, advice, determined to go over to the single gold standard, and for this purpose chose the gold yen piece of one and a half grams pure (25.72 grains, nine-tenths fine) or the 20-yen piece of 30 grams pure as the standard of value. As at that time, however, the actual money of the country (except in the open ports, where the Mexican dollar was the standard medium of exchange) was composed mainly of depreciated currency, issued both by the national and local governments, the gold dollar did not circulate within the country.

In 1877, when the Satsuma rebellion broke out, the demand of the Government for means with which to carry on the war was so great that a very large amount of inconvertible legal-tender notes was issued. The gold premium rose rapidly, and averaged 12 per cent for the year 1878, and nearly 55 per cent for the year 1880. Under the circumstances all specie tended to disappear from the country and neither gold nor silver was seen in active circulation. These great issues of paper money were intended to satisfy only a temporary purpose. In May, 1878, a Government ordinance declared that the silver yen of 416 grains was to be coined as soon as circumstances permitted, and that this coin was to be full legal tender for all debts, public and private, on an equality with the gold yen previously coined. From this time Japan was, legally speaking, on a bimetallic basis, as both gold and silver were equally legal tender. In 1881-82 serious efforts were made by the Government to return to a specie basis. In various ways, by contracting the currency, by purchasing silver abroad, etc., the premium on silver began to fall, and finally, in 1885, disappeared. On the 1st of January, 1886, the Government formally announced the resumption of specie payments in silver, and since that time all Japanese money, Government legal-tender notes, notes of the national banks, and notes of the Central Bank (Nippon Ginko) have been convertible into silver. Gold is never seen in circulation, and is not held even as reserve by the banks, with the exception of a certain amount in the Central Bank (Nippon Ginko).

II.—History, description, and amounts of money in Japan.

Before stating the total amount and various kinds of money in circulation in Japan it will greatly aid in clearing up this division of the subject if we give some account of the finances of the Japanese Gov-

ernment in the past and of the banking institutions existing in the Empire, in this way considering certain points which might perhaps be better described under a separate heading. It has already been explained that during and after 1877 a very large amount of legal-tender paper was thrown into circulation. In 1876, just before the Satsuma rebellion, there was issued about 94,000,000 yen of Government notes, which circulated nearly, though not quite, at par with gold and silver. In 1877 this amount was increased by 27,000,000 yen, making a total of 121,000,000 yen. At this time the premium on silver, and still more on gold, began to rise slowly. At the end of February, 1877, the premium (agio) was 2 per cent on silver and 4½ per cent on gold. The average premium on silver for the year 1877 was 3½ per cent. During the next year there was a further issue of Government notes, with the result that the value of the paper fluctuated wildly. The actual amount of Government issues at this time is hard to determine, since it is now officially stated that the figures then given were too low. At the end of 1879, from the best account, the amount of Government legal-tender notes was not far from 140,000,000 yen. But these were only the fiat issues of the Government. Besides these there were the notes of the national banks established on the model of the American system.

The first national-bank law was promulgated in 1872. The object was to supply a credit currency to the business and manufacturing interests. As the notes of the banks were to be convertible into gold, and as at this time paper stood at a slight discount compared with gold, the notes of the banks hardly came into circulation. Only four banks were established, all of which, with one exception, soon came to grief. In 1876 a new national-bank law was promulgated. The chief object of this new law was to create a market for the Government bonds, which were issued mainly for the purpose of paying off the old nobles for the loss of their estates. The notes of these banks were to be convertible, not into specie, but into lawful money, i. e., Government legal-tender notes. Without tracing the history of these banks in detail, it is enough to say that they increased rapidly after 1876, and especially during the period of the Satsuma rebellion, when the Government was increasing its own issues. The Government was, moreover, making large issues of bonds, and with every augmentation of this national obligation the national banks saw a chance for enhanced profits. At the end of 1879 there were in active operation 153 of these banks, with a total issue of more than 34,000,000 yen. In the year 1880, according to the best authorities, the entire circulation of the Government and bank paper stood at between 160,000,000 and 170,000,000 yen, not counting copper and bronze subsidiary coin. The following table presents the amount of paper in circulation and the premium on silver:

Year.	Amount in Government and bank notes.	Premium on silver.
	Yen.	
1877	120,000,000	108½
1878	160,000,000	109½
1879	170,000,000	121½
1880	160,000,000	147½
1881	158,000,000	170½

At this time (1879-1881) the fluctuations of exchange were so great, the periodical changes, expansions, and depression so unlooked for and the whole condition of business so uncertain that the Japanese Government began once more to study the currency question. It was finally determined to establish a central bank, or banking system, instead of a national-bank system. This Central Bank (Nippon Ginko) was founded in 1882. It was organized mainly on the plan of the Royal Bank of Belgium. The capital of the bank was 10,000,000 yen, one-half of which was paid up. In 1887 the capital of the bank was doubled (20,000,000). In August, 1895, it was agreed to increase the capital of the bank to 30,000,000 yen, or 10,000,000 more than before. It was also agreed to call up 5,000,000 yen at once, making a paid-up capital of 15,000,000 yen. Later on 7,500,000 more were called in, and in the semiannual report for February, 1896, the account stood:

	Yen.
Subscribed capital	30,000,000
Paid-up capital	22,500,000
Unpaid capital	7,500,000

It is needless to go into the details of the organization of this bank, interesting and important as they are. The bank is the financial agent of the Government, must assist the Government on all necessary occasions, and hold the deposits of the Government. Its uncovered note issue was limited to 70,000,000 yen in 1882, but this was increased to 85,000,000 yen in 1887. Beyond this limit the bank must hold cash (formerly legal-tender notes, but now silver) for its notes. An important and wise provision, however, on this point is that the bank can at any time increase its note issue beyond this limit, provided it pays a 5 per cent tax to the Government on the excess. With this permission to exceed a fixed limitation, the bank can at any time give accommodation to the business community, especially at critical times, when such accommodation is of paramount importance. The advantage of this provision was abundantly proved during the late war with China, when the bank frequently issued in excess of the legal limit without the slightest question from the public as to the perfect convertibility of the notes. On the contrary, it was the unanimous opinion expressed within business circles and in the press that these issues were an immense relief to all kinds of business interests at a time when there was a great deal of uncertainty and even at times trepidation pervading society.

The new bank was established with the avowed purpose of superseding the old national-bank system. It was understood that if the new bank was a success, it would in time assume the entire authority of issuing notes in Japan. Accordingly, a law was passed that the power of note issue should be withdrawn from the national banks as soon as their charters expired—after twenty years. Many of these charters expire in the present year, 1896, but the majority not until 1897 and 1898. The vacuum thus created will be filled by the notes of the Nippon Ginko. It is therefore clear that the Government was dissatisfied with the working of the national-bank system, and it is an interesting point to inquire just what the objections were which the Government found in the old system.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. STONE. Delighted.

Mr. ALDRICH. The Senator from Missouri prefaced his remarks with the statement that he desired to call the attention of the country to the character of this legislation, and he has been engaged for three hours in reading all sorts of documents pertaining to all sorts of subjects. Now, does he expect in that way to enlighten the American people upon the pending legislation?

Mr. STONE. I am endeavoring now to put some matter into the RECORD for the use of the Senate itself a little later on. Presently I will take up the particular features of the bill, but I wanted to get into the RECORD some data in a concise and systematic way.

The chief fault to be found with the old system of national banks in Japan was the instability of its credit. The notes were amply secured and always circulated at their full value. Nor is there a case of a note holder having suffered through the failure of a bank or any illegal act. In all respects the holders of the national-bank notes were as fully secured as the holders of the national-bank notes of the United States or of any European bank of issue. The difficulty lay, not in the uncertainty of the value of the notes, but in the entire system of credit provided by the Japanese national banking system. It was found by bitter experience that the banks rapidly extended credit at a time when they should, perhaps, have curtailed it, and at the very moment when business required a certain amount of accommodation these institutions were forced to refuse it. At times of expansion and confidence in the business world, the national banks found it easy to provide any amount of loans to their customers, but as soon as revulsion or lack of confidence appeared each bank found itself forced to protect itself by refusing even the ordinary amount of credit. So long as each bank was forced to look out for itself by the ordinary laws of competition, it would begin to withdraw its assistance from the public just when the public needed it most. In other words, the national-bank system emphasized the extremes of business variations; it indeed stimulated confidence at times of speculation and expansion, but it no less surely strengthened the fears of the public at critical moments of panic. In establishing the central banking system the Government wished mainly to remedy this evil. Its first object was to organize and control the unification of credit in its most sensitive part, viz, the issue of notes.

Such centralization the Japanese to-day believe is as necessary to the issue of money as it is to the Government itself, and on this point they claim all European authorities are with them. If the market is overspeculative, the bank can moderate its action through its issue, at least to a considerable degree, and when a crisis appears, a panic is averted by an extension of the same power. That there were other motives at work in establishing this system can not be denied, as, for instance, the desire to have a bank for Government deposits, but these were secondary. In corroboration of this view, that the Central Bank was established mainly to remedy the intolerable evils of the national banking system, we may quote the words of Mr. Soyeda Juichi, now at the head of the public debt department, an excellent authority in this country on all matters of finance. He is a graduate of Cambridge University, England, and has lately published a work on finance in Japanese. He has been asked recently to write the history of banking and currency in Japan for some New York financiers who propose to issue a large work on the history of banking in the world. In answer to an inquiry on the specific point raised above, he writes:

"The defects in the working of the national-bank system in Japan were very great. These banks lacked the power of cooperation at critical times, and often neglected banking business proper. The Nippon Ginko was established after a careful and wide study of all Western banking systems, and, though mainly copied from the Royal Bank of Belgium, it was modified to suit the special conditions of Japan. Since the foundation of the Nippon Ginko its merits have been universally acknowledged in Japan. It has altogether fulfilled the expectations of its founders, and is as necessary to the business interests of Japan as the Bank of England is to those of England."

It has already been explained that when the Nippon Ginko was established the country was under a system of depreciated money. It was believed that this bank would in a great degree, by its unified powers, be of assistance to the Government in bringing about specie payments, and in this hope the Government was not mistaken.

Mr. ALDRICH. Mr. President, I rise to a question of order.

The VICE-PRESIDENT. The Senator from Rhode Island will state his question of order.

Mr. ALDRICH. There are not two Senators who can hear what the Senator has said for the last half hour, or the last two hours, possibly. I would not want to designate this kind of a proceeding by a harsh name, but it seems to me that if the Senator proposes to discuss this question he ought to discuss it in a way in which we can hear him.

Mr. STONE. Well, we had that suggestion made not long ago, Mr. President. I can not help it if the Senator's hearing is bad.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield further to the Senator from Rhode Island?

Mr. STONE. I always yield to the Senator.

Mr. ALDRICH. My hearing is exceedingly good, and I venture to say that the Senators within 6 feet of the Senator from Missouri are not able in any way to appreciate what he is saying, or to understand him.

Mr. STONE. Oh, well, the Senator from Rhode Island assumes that my distinguished friends from Montana [Mr. CARTER] and from Kansas [Mr. LONG] and from North Carolina [Mr. OVERMAN], sitting here in touch of me, do not hear what I say. He ought to know by the intent way in which they are watching that they not only hear me, but that they are appreciative of what I say. [Laughter.] There is a look of profound interest on the faces of these Senators. If the Senator from

Rhode Island will come over and get under the drippings of the altar, I will try to say something that even he can hear, and which I hope will be for his good.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. It is useless to ask me; I do.

Mr. ALDRICH. I observe that the Senator now raises his voice so that he can be heard even half way across this side of the Chamber, and I congratulate him upon the recovery of his voice.

Mr. STONE. I should like to ask the Chair to rule on the point of order, and in doing so to have the Chair state whether there is a rule of the Senate now in force that fixes the exact volume of voice a Senator in addressing this body must use. In other words, will the Chair determine at what key the voice should be pitched? I will conform to any rule that the distinguished Presiding Officer of this body may lay down.

The VICE-PRESIDENT. The Chair knows of no written rule governing the subject to which the Senator from Missouri refers.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Hampshire?

Mr. STONE. Certainly.

Mr. GALLINGER. With reference to the volume of voice that should be used in debate, does it not follow, as a matter of fact, that a Senator should speak in a tone of voice sufficiently loud that the Presiding Officer should hear him, for the reason that a Senator might be using language for which he ought to be called to order? I do not know that the Senator has used any such language, but it might be so; and it would be a very unfortunate circumstance if we permitted matter to go into the Record that ought to be kept from it because of the fact that a Senator is whispering a speech.

Mr. STONE. Mr. President, if I am using language that ought not to be in the Record, it seems to me that I am doing a very proper thing to whisper it, to speak it with bated breath. I know my friend from New Hampshire would not care to have me or any other Senator speak out loud anything that ought not to be uttered in the presence of the Senate. However, I will assure the Senator that I have not used any language that the Chair should take note of.

Mr. DEPEW. Will the Senator allow me?

Mr. STONE. With pleasure.

Mr. DEPEW. Mr. President, in my active railroad days there was a great complaint because the brakemen or trainmen did not announce through the cars clearly, loudly, and distinctly the stations. I issued an order that they should do so, whereupon I received a letter wanting to know whether I expected to get a clear tenor voice for \$50 a month. [Laughter.] Mr. President, it seems to me that if \$50 a month was hardly sufficient to fill a railway car at the time it was approaching the stations, and yet did tolerably well, \$7,500 a year ought to fill this Chamber. [Laughter.]

Mr. STONE. Well, Mr. President, after this delightful by-play, we will resume where we left off. [Laughter.]

It has already been explained that when the Nippon Ginko was established the country was under a system of depreciated money. It was believed that this bank would, in a great degree, by its unified powers, be of assistance to the Government in bringing about specie payments, and in this hope the Government was not mistaken. The Government notes were gradually withdrawn, the premium on silver quickly declined, and by August, 1885, had practically disappeared. The statistics of the circulation of paper, both Government notes and national-bank notes, are as follows:

Year.	Premium on silver.	Circulation.
		Yen.
1883	126 1/2	138,400,000
1884	108 1/2	125,500,000
1885	106 1/2	120,500,000
1886	100	108,600,000

We have to note, therefore, a triple process operating since 1882, and particularly since the resumption of specie payments in January, 1886. First, a gradual diminution of the inconvertible legal-tender notes issued by the Government; second, a similar withdrawal of national-bank notes, though not so rapid as the first; third, a gradual increase in the issues of the notes of the Nippon Ginko, combined with, since 1886, an increase of silver yen in circulation.

Then follows a very interesting table, but it is a little too long:

Government paper in circulation on—	Yen.
January 1, 1876	94,000,000
January 1, 1880	140,000,000
January 1, 1886	90,000,000
January 1, 1889	47,000,000
August 31, 1896	9,888,000

National-bank notes in circulation on—	Yen.
January 1, 1878	13,000,000
January 1, 1881	34,400,000
January 1, 1886	30,500,000
January 1, 1889	27,600,000
August 1, 1896	19,700,000

Nippon Ginko notes in circulation on—	Yen.
January 1, 1883	3,000,000
June 30, 1886	18,300,000
June 30, 1887	39,500,000
June 30, 1889	62,900,000
August 1, 1896	164,176,000

The above statistics show, in some degree, the amount of paper circulation in Japan. From these figures are omitted silver coins of full legal tender (1 yen), and subsidiary coinage (silver, 50 sen, 20 sen, 10 sen; nickel, 5 sen; copper, 2 sen, 1 sen, 5 rin, 2 rin, 1 rin).

The Government report for August 1, 1896, for the total circulation of all kinds of money is as follows:

Mr. KEAN. I should like to ask the Senator from Missouri what is the total?

Mr. STONE. I was going to read the total, but the Senator from Kansas [Mr. Long], at my left, suggested that he would like to have me read the entire table; and since he is interested, I will do it:

Circulation (including reserves in national and private banks):	Yen.
Gold coin	5,346,873.00
Silver coin	53,176,257.50
Nickel and copper	15,392,029.62
Total	73,915,160.12

Reserve in Nippon Ginko:	Yen.
Gold bars	81,923,900.00
Silver coins and bars	28,837,479.00
Total	110,761,379.00
Specie	184,676,539.12

Mr. LONG. Will the Senator explain the term "yen?" I think I understand it, but there are other Senators who perhaps do not.

Mr. STONE. It is a Japanese silver coin of about the size of an American dollar—not quite so large. It has some designs stamped on it that I can not very well describe, but Japanese figures, and it has a value, I understand, of about 50 cents of our money in gold. Is that sufficiently satisfactory to the Senator?

Mr. LONG. I think that explains it.

Mr. STONE. Then we will proceed.

Note circulation:	Yen.
Government notes	9,888,277.75
National-bank notes	19,777,706.00
Nippon Ginko notes	164,176,844.00
Total issue	193,842,827.75

Grand total (specie and paper)	378,519,366.87
Subtracting specie reserve in Nippon Ginko	110,761,379.00

Money in circulation..... 267,757,987.87

From the above figures it is easy to deduce the amount of money per capita in circulation. The population of Japan, excluding Formosa, is about 42,000,000, and dividing the total money in circulation by this figure we get an average circulation of a little over 6 yen per capita.

That is very little. They are a poor people as individuals, but, collectively, a wonderful nation.

The population of Formosa is about 3,000,000; but as the amount of money in circulation there is still small, it could hardly change the result materially. An average of 6 yen per capita can not be far out of the way. An estimate made in 1889, by a very competent authority, puts the circulation at 5 yen per capita for that year. It is wholly likely that an increase of 1 yen per capita has taken place during the interval between 1889 and 1896, especially since the close of the war with China.

Now, that is hardly pertinent to the question immediately under consideration, and so I will pass over that and take up something else. Here is Persia. I have never familiarized myself with the Persian monetary system, and I doubt if anyone here has. I think I am doing a public service, therefore, in laying this particular matter before the Senate.

PERSIA.

INTRODUCTORY.

For a long series of years the value of the circulating and exchange medium in Persia has been on a more or less continuous decline, while wages or remuneration in the lower scales of labor and the prices of the ordinary necessities of life have been rising. The causes for this disturbance of the equilibrium in the earlier stages were doubtless various and might be hard to determine, and possibly had but little relationship to the abnormal influences which have produced and are now producing such results.

The Persian currency has, no doubt, in the course of the last two or three centuries, like most European currencies, passed through many phases in size, shape, value, and metal. Its exchange—

Mr. LONG. Mr. President, I am sitting within 6 feet of the Senator, and I am deeply interested in his remarks. I can hear the first part of each sentence, but I have great difficulty in hearing the latter part. I hope the Senator will speak so that at least I can understand.

Mr. STONE (reading)—

Its exchange and marketable value was calculated on other methods than those now employed. Three centuries ago trade with Europe was practically unknown, and the highly organized system of exchange which now governs the markets of the world had then no article in the Persian financial creed. Foreign trade was confined to the principal countries of Asia, Eastern Europe, and Egypt, and was carried on chiefly by an exchange of commodities, possibly supplemented by a transfer of gold, which the merchant usually took with him. This statement receives many illustrations in the stories and romances in Persian literature of a few centuries back. Saadi, in one of the stories of the Gulistan, in order to expose the inordinate love of gain and the extravagant boasting of the traders of his day, relates a series of expeditions which one of them told him he proposed to make before he retired from business. After mentioning several investments in which he was interested, he continued:

"I shall take Persian sulphur to China, where it sells for a high price; China vessels to Room (Constantinople); Room stuffs to India; steel from India to Aleppo; mirrors from the latter place to Yemen, and Yemen cloth to Fars (the southern province of Persia). Then I shall give up my travels and settle down in my shop."

In many of the stories the difficulties of the position are frequently caused by the bags of money the trader is carrying with him, and on which the success of his enterprise and his future comforts in life depend.

It will be evident from this that in estimating the value of the Persian gold coin in times more or less remote from the present it will be necessary to look for other methods and means than those now current. The Hon. G. Curzon, in his work, *Persia and the Persian Question*, says that in the middle of the seventeenth century the toman was equal to £3 10s.; and Sir John Malcolm, in a note to his *History of Persia*, says that in his time (probably in 1810) the toman, a nominal coin, was estimated to be the equivalent of £1, and that it was formerly double that value, and was even then so in Khorassan and Afghanistan. In Richardson's *Persian, Arabic, and English Dictionary*, revised by Francis Johnson up to the 8th of October, 1829, the toman is given "as the equal of 10,000 Arabic silver drachmas, which are about one-third less than those of the Greeks; also the equivalent of \$15."

This coin (toman), although existing, yet out of practical circulation, is the most convenient and perhaps the safest standard for fixing the actual value of the kran, now the current coin of the realm. It should be remarked that among Persians, both in the Government departments and also with private individuals, salaries and wages are fixed at so many toman per year, month, and week, as the case may be. It is only Europeans who express totals in kran.

In determining the value of the toman in the beginning of this century, or at former periods in its history, the purchasing power, relatively considered, was probably an important factor in the calculation. It has, moreover, varied in size and weight at different times, and consequently has changed in its numerical value. Possibly the subsidiary silver coin was increased in proportion to keep up its decimal relation. It has also had a fictitious value altogether outside the commercial one. As a curiosity or a remnant of antiquity, rare coins might, in those days as well as now, be traded for several times their face value.

The question of supply and demand could have entered but little into the ratio of comparison. So far as my knowledge of authentic Persian history goes, I know of no period when such a superfluity of gold existed as would give to it such an excess in value over that of Europe.

Ignorance and superstition might at times have been elements of a disturbing nature; but these would soon pass away if the foreign gold were found to be genuine or free from the effects of magic, or if it could be purified from ceremonial defilement. It would therefore seem that the value ascribed to the gold toman was not altogether calculated on ordinary foreign mercantile exchange.

From the beginning of this century we pass through a period of fluctuations, ascertained by more clearly defined commercial principles, and reach the year 1873. During the previous fifty years trade relations with foreign countries had been considerably extended. European merchants had brought their wares and come to settle in different parts of Persia, and the necessity of a convenient method of exchange in the shape of bills had come to be recognized—at first with some trepidation, but afterwards with the most satisfactory confidence. During the sixties the telegraph, both for international and local traffic, had been introduced, opening up to the native mind wider and more interesting sources of observation and making palpable breaches in the old fields of bigotry and exclusiveness. Systems change slowly in Persia, and adaptations to new methods only reach their ends by tedious and trying processes. If the study of political economy is but rarely undertaken, the application of the principles is being carried forward.

For the purpose of showing the decline in the Persian currency and for instituting comparisons of its effects on the commercial and industrial life of the country I propose to take as my first starting point the year 1873. There is a manifest advantage in this, as it will cover the whole period of decline. By adopting 1886 as the point of comparison, it makes an unequal partition of the whole divergence from the equilibrium of exchange which existed in 1873. Between 1873 and 1886 there was a fall in the Persian currency in relation to foreign exchange of 8 kran to the pound sterling, but from 1886 to September, 1896, there has been a fall of 17 kran to the pound, making in the whole period a decline of 25 kran.

There have been, no doubt, other causes than the depreciation of silver to bring about this result. Excess of imports over exports, scarcity of money, want of confidence, and a lack of support to native industries have doubtless all tended to produce financial stagnation, as well as an absolute confusion of ideas in the minds of the people. The laboring man blames the farmer for selling his wheat so dear; the farmer the shopkeeper for so frequently raising his prices; the shopkeeper throws the blame on the merchant for supplying inferior articles at a higher rate than formerly, and the merchant accuses the Government of being the chief offender. He does not know exactly why, and does not think it necessary to inquire.

The Government at various times has attempted to mitigate the severity of the situation by fixing, by law or proclamation, the price of the chief necessities of life; but other and more inexorable laws have supervened, and the last state has generally been worse than the first. Two days ago a decree was issued regulating the price of mutton for the whole year on a kind of sliding scale for the different seasons—on the whole, in favor of the consumer.

Mr. KEAN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. STONE. I do.

Mr. KEAN. I heard something about the price of mutton. Where was that?

Mr. STONE. It is in this volume.

Mr. KEAN. I meant in what foreign country?

Mr. STONE. It is in Persia. I am reading about Persia; about the financial system of Persia. This is quite an interesting history of it.

Mr. KEAN. I think so; but, Mr. President, it is very hard to hear it.

Mr. STONE. The consumer always gets the worst of it over here, but in Persia, it seems, in the case of mutton, the eaters get a little the better. Now, if the Senator will give me his attention, this reads:

But this will most likely be upset by withdrawing the flocks of sheep from the neighborhood—a move which has had many precedents and has always succeeded. Persian tradesmen, without knowing any formulas of the creed, are strict trades-unionists, and when they combine for a common object nearly always succeed. They may be beaten or cursed for their obstinacy and selfishness, but they hold out until they have obtained the object of the strike.

Mr. CARTER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Montana?

Mr. STONE. I do.

Mr. CARTER. The Senator, who has doubtless given very close attention to the text, can inform us whether the Government fixes the price of mutton to be purchased by the Government or the price of mutton in the general market? That seems important to the pending bill, and it ought to be considered at the present time. [Laughter.]

Mr. STONE. Well, Mr. President, I am inclined to agree with my friend from New Hampshire [Mr. GALLINGER], who was kind enough to give it, as his opinion, that that was to fix the price of mutton to the consumer.

Mr. GALLINGER. To the common people.

Mr. STONE. To the common people.

Mr. CARTER. I did not hear the statement of the Senator from New Hampshire, nor did I know that the Senator from Missouri approved the construction given to the statement by the Senator from New Hampshire. Had I known of the views of the Senator from New Hampshire and the approval thereof by the Senator from Missouri, I would not have asked the question. I did not desire to interrupt the Senator, but merely asked for information, which it seemed was essential to the consideration of the bill, as I before suggested.

Mr. STONE. If the Senator from Montana will come over and sit here again, then he will hear better and have the benefit of the counsel of the Senator from New Hampshire, who does me the honor to listen very intently to this interesting theme.

Mr. CARTER. Mr. President, the voice of the Senator from Missouri is quite distinct all over the Chamber, but the voice of the Senator from New Hampshire was at fault, I think. [Laughter.] He ordinarily speaks in clear and distinct tones; but in the case under consideration he manifestly did not speak with that degree of force which he ordinarily uses.

Mr. STONE. Mr. President, I am glad the Senator from Montana has called the Senator from New Hampshire to task, for it was but a moment ago that the latter Senator was administering on me for speaking in a whisper, intimating that it was possible that I might be saying something to which the Chair would object as being against the rules of this body.

In a review of the state of the Persian currency, we can have no help whatever from official statistics, for the Government neither collects nor compiles any. The utility of this very important branch of the administration has not yet come to be recognized. If there were such an institution as a chamber of commerce, merchants might, for the sake of their own interests, be induced to enter upon this path of improvement; but as there is not, this source of information does not exist. The gold coins still considered in the Persian currency are 1-toman, half and quarter toman pieces. There are 2-toman pieces, but they hardly count. The silver coins are 2-kran, 1-kran, 10-shahi, and 5-shahi pieces. Copper, 2-shahi, 1 shahi, and pool or half shahi.

Toman signifies 10,000, and actually means 10,000 dinars, possibly so named from the Roman denarius, and at one time perhaps the same in value. One thousand dinars equal 1 kran, which is frequently called hazar dinar (1,000 dinars and 10 kran equal 1 toman). It is often called an ashrâfî, from the fact of its being coined by one of the Afghan princes who ruled the country in the beginning of the eighteenth century. These coins have practically gone out of circulation, but are bought and sold or passed in payment for services or goods at the local exchange price of the day.

I.—Standard of value.

The silver kran is the standard of value in Persia in all transactions, and is equal to 20 shahis copper money, although it is at a premium of 5 shahis, exchanging for 25 shahis. The currency is therefore monometallic, with a silver standard.

Originally the gold toman was the standard of value in exchange, with a free use of silver, and was so used for some decades in the present century; but during the fifties and sixties great quantities of the coined metal were exported, which had the effect of throwing it out of circulation.

Monometallism and bimetalism do not appear to have been questions that ever agitated the administrative or the public mind, and no doubt both gold and silver were used in exchange as suited the convenience or requirements of the parties interested. Under those conditions the currency was practically bimetallic, and only ceased to be so when there were no more gold to circulate or when silver ceased to hold its proportionate equality with gold. There was always some difficulty in minor transactions in using the gold, for storekeepers rarely kept sufficient silver in their tills to give change for a toman. It was this state of things which called into existence the large numbers of money changers, locally called "sarrafs," which means one who deals in discounts, and who were and are still settled at almost every turning in the streets and bazaars. Formerly they exchanged silver for gold, but now copper for silver.

The Persian kran, under normal conditions, was about the equivalent of the franc (19.3 cents), and in 1873 25 krans were exchanged for an English pound (\$4.86), and 2½ gold toman were of equal value. At the present date the gold coin retains its original position on the exchanges of the world, while 50 krans are the measure of an English pound.

The gold toman contains 42 grains of pure gold and 4½ grains of alloy of copper. The other gold coins are in the same ratio. It is equal to about 8 shillings English money (\$2).

The kran contains 67 grains of pure silver and 7½ grains of copper alloy, and at the present rate of exchange equals within a fraction 5 pence (10 cents).

The weight and proportion of the metals with the alloy are settled for the coinage by the Government.

There is another point I had better omit.

One of the evils inherent in the Persian currency system is the farming of the mint by private individuals, who, it is to be expected, will consider their own profit rather than the purity of the coinage and the interests of the public. Moreover, the Government tax on the enterprise leaves too little margin for the fluctuations in the price and uncertainties in the delivery of the silver to protect the farmer at all times from loss in the manipulations of that metal. Consequently, copper, which is less variable in price, is coined in quantities out of all proportion to the requirements of the country, and greatly to the demoralization of the currency. At the present time, on account of the scarcity of silver, it is used in the purchase of most of the necessities of life, of materials for the purposes of ordinary industries, and the payment of wages, plus 25 per cent on the kran. This dislocation of the general methods of finance and currency has contributed seriously to the degeneracy of trade, dissatisfaction and confusion in the public mind, and loss to the country at large.

II.—Amount of circulation.

In the absence of statistics on the subject, it is evident that any attempt to form an estimate of the amount of gold and silver money in circulation in Persia could be nothing more than a surmise or a guess, and would consequently be utterly valueless and misleading. Providing such statistics were forthcoming, they would, under the present system of trade and social conditions, be entirely worthless. This statement will apply also to the per capita circulation.

Regarding notes or paper money the case is different. The Imperial Bank of Persia, established in 1889, has a capital of £650,000 (\$3,250,000), and issues notes against a reserve, under Persian Government control, of 33 per cent to an amount equal to the extent of its capital. The notes are of various denominations, inscribed in both English and Persian, from 1 toman up to 100 toman. There are notes of a higher value, but they seldom get into circulation.

The Persian Government issues no notes as a circulating medium; but all Government officials in the civil service receive, in the early part of the fiscal year, which commences on the 21st of March, a certificate for their salary for the whole year, payable by the treasury department, and these are negotiated by native bankers to a considerable extent. The Imperial Bank, being a foreign institution, is prohibited from dealing in this species of security.

III.—Changes in the system.

The monetary system of this country has during the last twenty-three years been undergoing a steady and radical economic, rather than a statutory, change. From being a practically gold standard, it has almost degenerated into a copper one. This will appear from remarks already made. Twenty-three years ago, or even less, gold and silver interchanged at their normal ratios; but at the present time gold has gone out of circulation and has dwindled into a doubtful marketable commodity, and this not through any arbitrary act of the Government or any assignable paramount cause. Doubtless there have been many contributory causes to bring about the result. The Government of past years can not be held blameless in the matter, though it may not have observed the force of laws which were acting so adversely to the continued stability of the equilibrium. If twenty years ago, when gold was plentiful and the downward tendency possible of arrest, the Government of the day had made a complete reorganization of the currency on the basis of a revised gold coinage, Persia would at the present day have a monetary system greatly superior to that of any Asiatic country, and more than equal to that of some European countries. But the opportunity was allowed to pass, and the decline has been going on from year to year with undeviating and unresisted regularity, until the coinage has reached just half its original value, and Persia is much poorer than she was twenty-three years ago. Half the capital of the country has vanished, and without any corresponding benefit whatever.

The establishment of the Imperial Bank of Persia, an English institution, and the issue of notes payable on demand can not be considered as a change in the monetary system of the country. But it has, to some extent, facilitated business operations in towns, although country districts are quite unaffected by it. The notes, even in towns, are under some disabilities, and are still looked upon by the people as a doubtful equivalent for coin. The country is embarrassed with two silver coins of equal circulating value, called the old and the new kran. The old coin is of barbarous shape, and large quantities are debased in quality. This ought to have been long since withdrawn from circulation and recoined in the more modern form. The bank notes are held at par with the old coin, and if new is required, the holder has to accept at the least 1 out of the 10 krans in copper money. This applies to bazaar methods. It will thus be seen that a radical change has within the last twenty-three years been effected in the currency of Persia, and the Government has not, either by statute or decree, interfered one way or the other. This is one of the most curious revolutions of currency that has occurred during the century. While most

* Population of Persia, estimated, in 1894 was 9,000,000.

countries have endeavored either to preserve their gold standard or substitute silver for gold, Persia has allowed hers to degenerate from a gold to a silver one.

It may be interesting and possibly useful to know that the fall in the value of the Persian kran has been closely concurrent with that of the Indian rupee both in time and ratio. But while the rupee has shown a slight upward tendency within the last few weeks, the kran remains stationary. How far the same causes have contributed to like results I have not the means to ascertain. The difference between the relative values of the two coins is, however, in the case of the rupee due to artificial causes, which have not been brought into action in favor of the kran.

The remainder of that article relates to wages, prices of commodities, and the like. Now, here there are some short articles on Peru.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. I should like to give a suggestion which may meet the convenience of the Senator from Missouri. Owing to the evident precarious condition of the Senator's voice, and the impossibility of making himself heard, I would suggest that the document which he is now reading be printed in the RECORD without being read further.

Mr. STONE. Well, the Senator's solicitude is very affecting. It touches me deeply. I am so much affected by it that I am almost tempted to follow his suggestion, but for fear that Senators would not read the article, the only sure way I have of getting it before them is to read it myself. I am inclined to think I had better proceed in the regular order. Here is something from Minister McKenzie from Peru:

Minister McKenzie, in a dispatch dated Lima, August 18, 1896, informed the Department that he had asked the Peruvian foreign office for data to enable him to prepare a report, but up to January 12, 1897, no report had been received by the Department. According to the Director of the United States Mint (report for 1894, p. 347), the unit of Peruvian currency is the silver sol, weighing 25 grams, 900 fine, and equal to the French 5-franc piece, or about \$1 United States. Gold coins exist also, of 2, 5, 10, and 20 sols. Their fineness is 900, and the 20-sol piece weighs 32.258 grams. This gives a ratio of silver to gold of 1 to 15½. "For a long time," adds the Director of the Mint, "the country had an inconvertible paper money, but since the war [with Chile] this paper has become almost worthless, and in consequence only hard sols are now in circulation, valued according to the price of silver." The value of the Peruvian silver sol in United States currency, according to the statement of the Director of the Mint, October 1, 1896, is 49 cents.

In a report prepared for Commercial Relations Consul Jastremske, of Callao, says, under date of September 14, 1896:

"The government of President Pierola is inspiring a growing confidence in its purposes to promote the industries and general welfare of the country. In consequence a general improvement in trade is noticeable. The banks are reported to be in a healthy condition and to have a greater line of deposits than they have had for a considerable time. Capital appears to be available for all enterprises promising good results. Recently two insurance companies were formed in Lima—the Italia and the Rimac. In both cases all the stock was immediately taken, and it is said that the offerings of subscriptions exceeded the amount required."

"Reports of the discovery of rich gold deposits in the provinces of Sandia and Carabaya have excited considerable interest, and some capital is being invested in this direction."

"Meanwhile, from July 1 to September 3 silver has fluctuated on the London market from 31½d. to 30½d. the troy ounce. Strangely enough, exchange showed but slight variation, i. e., from 23½d. to 23½d. in Peruvian sols, on London, and from 209 to 210 in Peruvian sols for American dollars, on New York. I can account for this only by the great difference in the buying and selling price, which ranges from 2 to 4 per cent silver."

"Laborers in cities receive from 50 cents to \$1 per day; domestic servants from \$5 to \$12.50 per month; clerks in stores and offices from \$20 to \$75 per month; bookkeepers from \$1,000 to \$1,500 per annum; mechanics from 50 cents to \$2.50 per day."

"There are no notable changes in tariff or port charges to report. "As to cost of living, a good table d'hôte meal in the leading clubs of Lima, elegantly served and well prepared, is had at a cost of from 40 to 50 cents. Good Bordeaux table wine is served extra at from 45 to 50 cents per bottle. Day board and lodging at the best hotels is from \$1.50 to \$2 per day. From this an idea may be formed as to the cost of common living. Yet chickens sell at from 75 to 90 cents apiece; eggs, 35 to 40 cents a dozen; beef, 10 to 15 cents per pound; butter, from 35 to 60 cents per pound; ham, from 40 to 50 cents per pound."

"These prices are computed on the gold basis. They are to be doubled on the silver basis."

Well, now, here is something about Portugal:

PORTUGAL.

I.—Standard of value.

The monetary unit in Portugal is a simple money of account, with no actual existence, called a real. When at par, its value is one five hundred and sixty-three thousand eight hundred and fifty-sixths of the kilogram of gold of the standard of eleven-twelfths; in exchange on London its present value is one seven hundred and fifty-five thousand seven hundred and sixths.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. I yield to the Senator from Rhode Island; surely.

Mr. ALDRICH. Mr. President, the course of the Senator from Missouri in this matter is so at variance with his good sense and with the manner in which he has carried on debate in this Chamber heretofore that I ask to call his attention to a rule of the Senate, with the hope that he will see the importance of carrying on this debate, if it is to be carried on, in a different manner. I will read from Jefferson's Manual, which is the recognized parliamentary authority for the Senate of the United States, the following:

For the same reason a member has not a right to read a paper in his place, if it be objected to, without leave of the House. But this rigor is never exercised but where there is an intentional or gross abuse of the time and patience of the House.

A member has not a right even to read his own speech unless he has the consent of the House. This movement, of which I regret to find that my friend the Senator from Missouri has become an attachment, is confined not to debate, but to reading extraneous articles upon all sorts of subjects. I hope the Senator from Missouri will see that this is against the spirit of the rules of the Senate, if it is not against the letter, and that he will discontinue the practice.

Mr. STONE. Does the Senator from Rhode Island make a point of order?

Mr. ALDRICH. I do not at this stage.

Mr. STONE. When I was interrupted, Mr. President, I was about to read or was reading a description of the financial system prevailing in Portugal, and had got down to part 2 of this report, which relates to the amount of circulation:

Since 1891, when specie payments were suspended, neither gold nor silver has been in circulation in the Kingdom of Portugal. Its entire currency consists of paper issued by the Bank of Portugal in denominations of 500 reis, 1 milreis, 5 milreis, 10 milreis, and the highest, 20 milreis. None of these notes contain any promise to pay. The entire wording of the large notes is as follows:

"Bank of Portugal. Twenty milreis. Gold."

Signed by the governor and the director.

The smaller notes are worded in the same way, except the word "silver" is substituted for "gold."

The Bank of Portugal is a private corporation. The Government is not connected with it except in exercising supervision over it.

Mr. HALE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Maine?

Mr. HALE. For a moment, that I may appeal to him. I shall not take much of the Senator's time.

Mr. STONE. I do always.

Mr. HALE. Mr. President, I think all of us who have had the pleasure of serving with the Senator from Missouri have found him a reasonable contributor to good debate, a practical legislator, invariably courteous, and open to fair appeal. The Senator, I think, must realize the situation as much as I or any other Senator. We are running to what everybody admits is the close of the session. There is a great desire on the part of Senators to be released, and the arrangements of a great many Senators have been interfered with who were prepared for leaving and had so made their plans. This very important bill, fraught with either good or evil to the country, is entitled to real discussion; but when the Senator from Rhode Island introduced it, rather, under the circumstances, than to consume time, after making a clear and succinct statement of the provisions of the bill, he refrained from consuming time.

The Senator from Texas [Mr. CULBERSON] addressed himself to the bill, to its defects, as they exist in his mind, and the Senate listened with attention and, presumably, profit.

Then the Senator from Wisconsin [Mr. LA FOLLETTE] obtained the floor. I am not going to characterize him or his speech, especially in his absence, but the Senator knows that we were treated to eighteen hours of consumption of valuable time, an entire prostrating and heated night session, and no contribution to the merit or demerits of the bill until at last he left the floor, having reached the end of his rope under the rules, and the night and day had gone.

The Senator from Missouri, not the Senator to resort to such methods, the Senator capable of clear, trenchant debate and capable of making an instructive speech in a reasonable time, has been speaking—I do not say this reproachfully, but he himself is probably unaware of it—for something like six hours, and I ask the Senator himself to take to himself this consideration: Has he contributed in these six hours to such debate or analysis or dissection of the bill as he is eminently capable of?

I appeal to the Senator. The Senate is anxious to take a vote on this matter. The time has been consumed, not as I have known time to be consumed on important bills in what might be called filibustering, where an entire party had set itself in array against a bill, and, believing it ought not to pass, claimed the right of debate upon the subject to clear it and illustrate it. But we have had nothing of that kind, although this may be as important a bill as any bill that heretofore has arrayed a

great party against a measure that had, as it has, a right to resort to all its rights under the rules.

I wish the Senator would bear in mind what has helped heretofore to contribute to the discussion. He has joined with me in opposing every effort to curtail the proper privileges of the Senate or to embody in our rules any form of cloture. He and I heretofore have stood here facing each other and making the same declaration that the beauty of the rules of the Senate is that the Senate can always get a vote after reasonable debate. That is what saves the Senate from the attempt that at any time may be made to throttle us and our proceedings by putting a cloture upon us. It is such things as have happened in the last twenty-four hours that give rise to apprehension that some day some party in power may resort to cloture and throttle the right of speech in the Senate.

Now, I appeal to the Senator, to his good nature, for he has plenty of it; to his humor, which has lightened his speech and of which he is full—I appeal to the Senator, not, if he desires to discuss this measure upon its merits and contribute to the opposition as he can by throwing light upon it, to refrain from doing that, but I do appeal to him not to continue to keep Senators here by continuing what he has been doing in the reading of essays, printed publications upon subjects not in the least dealing with this bill or anything in it, and which he must see, as we all see, has only one result—the consumption of valuable time.

I do not think the Senator ought, in justice to himself, to engage in that form of delay upon this matter when everybody wants to vote, simply with that result—consumption of time. I have felt concerned, although I have taken no time in this matter, and have a hesitation now, and the Senator may think I am intruding, but I am saying what I have said with the best of feeling and with a real regard and respect for the Senator, which he has earned from me by our association together here.

Mr. STONE. Mr. President, the speech made by the Senator from Maine has been so attractively said that I do not hesitate to say I am touched by the appeal he makes. I have a very high opinion of the Senator from Maine, as all of us have for his great ability, his experience in public life, particularly as a legislator, and anything said by him along the line of his suggestion made of any Senator here would have weight, as it has with me.

Mr. President, I am not occupying the time of the Senate with the idle purpose of wasting the time, and certainly not with the idea of imposing upon the good nature of Senators, although perhaps I am doing both. I do think that this is an extremely unwise and vicious legislative proposition, and I have not felt that a mere brief perfunctory opposition to it should be made, covering two or three hours of debate, and then let it go upon the statute books. I felt that a sufficiently vigorous opposition should be made to it as would result in attracting in a special way the attention of the country to its provisions.

I know the bill will be passed; I have not any doubt about it. I am not occupying the time of the Senate with any hope of defeating its passage. I agree with the Senator from Maine that it will pass. But I do indulge the hope that the attention of the country will be attracted to this filibuster, which can not continue indefinitely, but should go far enough to accomplish the purpose I have indicated.

I intend presently, before I am through with the discussion, to say something about the exact provisions of the bill. Then I have preferred—and still do, with all due deference—to pursue the course I have marked out in my own thought. I think I can do well to incur the temporary displeasure of the Senate if I can accomplish or be instrumental in helping to accomplish the end I have in view, of riveting the attention of the country upon this measure, so that it will be discussed at the firesides and in the shops as well as in the banks.

Mr. President, I feel constrained to proceed in my own way, regretting deeply if in doing so I offend the Senator from Maine or any other Senator on the floor.

Mr. President, the Senator from Nebraska asked me this morning what kind of currency I would favor; being against this bill, what bill would I favor; and I said I would prefer a currency issued directly by the Government. Now, I want to read something upon that subject.

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. STONE. I do.

Mr. FORAKER. Mr. President, I dislike to interrupt the Senator, especially when he has stated to the Senate that he has a well-defined plan which he has mapped out in his mind which he prefers to follow in making the remarks he desires to submit to the Senate. Because I dislike to interrupt him I have sat here patiently listening while he read at great length from

the pamphlet that he held in his hand for so many hours. I was thinking all the while, knowing how obliging the Senator is and how much consideration he has for his colleagues, that he would soon come to the end of that pamphlet, and I hoped that would be the end of the reading. But now he has picked up a volume which I should think contains three or four and may be five hundred pages of printed matter. He says he is practically through with the pamphlet. I do not know whether he is entirely through with it or not. He is practically through with it, however, he tells us. Now, he desires to read from this other volume.

I want to be as lenient as I possibly can be, having due regard for the comfort of Senators and for the common concern of us all, and I would not object if I thought the Senator intended to read only briefly. But after we have listened to six or seven hours of this reading and after he passes from the small pamphlet to this large volume, I must confess that under all the circumstances I become somewhat nervous.

I rise, therefore, Mr. President, to call the attention of the Chair as well as the attention of the Senator to the fact that we have rules governing the proceedings of this body which I think have direct application to this case. I think all our rules may be said to have been adopted for the purpose of facilitating the transaction of business, and that none of these rules, properly construed, will admit of delay or of the doing of anything that is not within the spirit of the proceedings that we are expected ordinarily to have in this Chamber.

Now, this is not an ordinary occasion. The Senator has told us that he expects this bill to pass, but that he does not want it to pass. He does not want his colleagues in the Chamber to be permitted to vote until he has prosecuted what he himself calls a filibuster to such an extent as he may think necessary to attract the attention of the country to the character of this legislation. I am of the opinion that the filibuster has already been conducted to that point; that the country is taking notice, in all probability. Certainly it has been prosecuted to the entire satisfaction of the great majority of the members of this body.

But whether that is true or not, we have it on the authority of the Senator himself that he is speaking in behalf of a filibuster. There is no rule of this or any other parliamentary body that was intended to facilitate a filibuster or to promote a filibuster or to enable those engaged in one to unduly prolong it, or, in fact, to allow them to engage in a filibuster at all.

This is the first time, Mr. President, in the time I have been a member of this body, that I have ever heard a Senator state on the floor of the Chamber that he was engaged in a filibuster.

Mr. STONE. Mr. President, I do not think the Senator from Ohio quite fairly states what I said. The Senator from Maine, it will be remembered, said, among other things, that that happened when a party, or the great majority of a party, would make opposition continuously resisting the passage of a bill, and he spoke of it as a filibuster, and I referred to it, having in my mind what he had said.

Mr. FORAKER. Mr. President, the Senator knows I would not misrepresent anything that he said. I understood the Senator to say in so many words that this is a filibuster in which he and others are engaged. If that be not a correct representation of what the Senator said, I withdraw it of course.

Mr. STONE. I think the Senator will find that I said, "This filibuster, if you please to so call it."

Mr. FORAKER. If the Senator said, "If you please," it seemed to me the Senator pleased, and I felt that we had a right to regard this proceeding as a filibuster without regard to what the Senator said when we were kept here through the whole of last night, not by speaking, not by debating, but by simply reading; reading all kinds of literature, reading on all kinds of subjects, reading hour after hour, and hour after hour, reading in violation of the rules of the Senate, and reading, as the Senator from New Hampshire [Mr. GALLINGER] suggests to me, out of a book of fiction, for the instruction of the Senate.

We were of opinion that that was a filibuster; that it was being engaged in for the purpose of killing time and for the purpose, if possible, of defeating this bill or compelling it to be amended in such a way as the Senator from Wisconsin might suggest. Certainly we were so warranted in believing when the Senator from Wisconsin, in the course of his remarks, made the statement that he would keep the Senate here six weeks if necessary to accomplish the purpose he had in view, whatever that purpose may have been.

Now, we indulged the Senator from Wisconsin because of the courtesy that uniformly prevails in this Chamber. My colleagues were more indulgent than I thought they ought to be. There was a time in the course of his remarks when I thought he had transgressed one of the rules of the Senate and that we

had a right then and there to put an end to his remarks. That was after he had notified us that he expected to keep us here for six long weeks, and after for more than three hours he had been reading to us out of the works to which I have referred. But we indulged him all through the day and all through the night until he himself took himself off the floor.

Mr. STONE. Mr. President—

Mr. FORAKER. I rose to a point of order and I am going to state it in a moment.

The VICE-PRESIDENT. The Senator from Ohio will state his point of order.

Mr. FORAKER. Did the Senator from Missouri want to ask me a question?

Mr. STONE. I did not. I wanted to resume.

Mr. FORAKER. I do not expect the Senator will resume in the way he has been resuming—not, at least, if I can make the point of order as clear to the Presiding Officer as it is in my mind.

In the same spirit in which we indulged the Senator from Wisconsin we have been indulging the Senator from Missouri, because of our high regard for him as a man and as a Senator and because of our exceedingly pleasant relations with him. Because of the warm feeling of esteem in which we hold him, we have been loath to call his attention to the rules that are binding upon him as well as upon us.

But, Mr. President, we have come to a time when if we have any rules that are available it is our duty to avail ourselves of them, and it is our duty not only to every member of this Chamber to do that, but it is a duty to 391 Members of the House of Representatives who are being kept here by the undue prolonging of this debate.

I call attention to the fact that there is no rule which permits a Senator to rise in his place and address the Chair and receive recognition, and then hold the floor against other Senators, except only for the purposes of debate.

What is meant by debate? I eliminate, of course, getting the floor to make a motion to adjourn or to make any other motion. What is meant by debate? I call attention to Rule XIX:

When a Senator desires to speak—

Not read—

When a Senator desires to speak he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him. No Senator shall interrupt.

And so forth.

I have read enough to make clear the point to which I wish to call the attention of the Chair and the Senator from Missouri, that the privilege of the Senator is under Rule XIX to speak, to address the Senate by speaking, not to rise in his place and read a newspaper, not to rise in his place, as the Senator from Wisconsin did, and read from works of fiction and other works, going over the whole field of literature, whereby he was enabled to consume hours and hours and hours of time that we patiently surrendered to him.

It is not the privilege, in other words, of the Senator from Missouri, who has been addressing the Senate for the last six hours, to continue to hold us here while he will read first from this pamphlet at the great length which he has read from it, taxing our patience in doing so, because of the manifest irrelevancy of that which he has been reading to the question under consideration. Much less is it his privilege now to take up a volume of four or five hundred pages of printed matter and start in upon that, with a view, evidently, of inflicting all of it, or practically all of it, upon us to the full extent he may see fit to indulge in reading from it, and all for the purpose of delay.

Mr. President, there is no rule, except the one I have read, among the standing rules of the Senate that has application to this case. I call attention to the fact that the Senator is not, under that rule, authorized to read anything; he is authorized to speak, and I remind the Chair of the fact that it is the uniform practice in this Chamber, when a Senator is addressing the Senate and desires to have any extended or important paper read at the desk, or to read it himself, to state what his desire is, and the Chair uniformly announces that, without objection, it may be read, in recognition of this rule and in recognition of the construction that I put upon it.

But we are governed not alone by the standing rules; we are governed also by Jefferson's Manual. Turning to page 109, we find another provision that is applicable, and it is a controlling provision directly applicable. I commence reading at the foot of page 109, section 2, entitled "Reading papers:"

Where papers are laid before the House or referred to a committee, every Member has a right to have them once read at the table before he can be compelled to vote on them.

And so on to the end of that paragraph, the last sentence of which is—I will not delay to read all of it:

There is, indeed, so manifest a propriety of permitting every Member to have as much information as possible on every question on which he is to vote, that when he desires the reading, if it be seen that it is really for information and not for delay, the Speaker directs it to be read without putting a question, if no one objects; but if objected to, a question must be put.

Now, the next paragraph:

It is equally an error to suppose that any Member has a right, without a question put, to lay a book or paper on the table, and have it read, on suggesting that it contains matter infringing on the privileges of the House.

Now I come to what is directly applicable. I have read what precedes only that what I am now about to read may be fully understood:

For the same reason, a Member has not a right to read a paper in his place, if it be objected to, without leave of the House. But this rigor is never exercised but where there is an intentional or gross abuse of the time and patience of the House.

A member has not a right even to read his own speech, committed to writing, without leave. This is also to prevent an abuse of time, and therefore is not refused but where that is intended.

These two paragraphs, Mr. President, were read a moment ago by the Senator from Rhode Island. They are directly applicable to this case. They fit it precisely. Nowhere in the standing rules, therefore, I repeat, and nowhere in Jefferson's Manual itself, that together constitute all the rules governing this body, can there be found a rule or a provision that authorizes a Senator, without the leave of the Senate, to read for mere delay in his place any paper or any book or any other document in the manner in which the Senator has been reading here to-day, and in which the Senator from Wisconsin was reading here yesterday and last night.

The fact that it is every day indulged in by Senators does not change the rule, for the indulgence is always granted by the Senate. It is by leave of the Senate, and the Chair uniformly announces, as I have already said, "Without objection, the paper will be read."

The only privilege, in other words, that a Senator has is a privilege to speak. That is the language of the rule. It is not a privilege to read a newspaper, a pamphlet, a volume, or anything else, except only by leave of the Senate.

Mr. President, I make the point of order that without leave of the Senate the Senator from Missouri has no right to continue the reading in the way in which he has been continuing it this morning. We have granted him leave until now by simply sitting silent in our seats, as is customary. These rules are well understood, their binding force is recognized, but nevertheless for the accommodation of Senators, and, as I said a moment ago, because of that courtesy which prevails here we generally allow a Senator to read anything he may want to read without objection, trusting to the Senator himself not to abuse the privilege we thus grant him.

I know the Senator from Missouri, when his attention is called to this matter as it has now been called to it, will not insist upon violating the rule, if I am correct, as I think I am. In any event, I shall call upon the Chair at the proper time to make a ruling upon this subject.

Mr. ALDRICH. Mr. President, I desire to make a motion affecting the comfort of the Senate.

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. I do.

Mr. FORAKER. Let me read just one other section that the Senator from Nebraska [Mr. BURKETT] has called my attention to. It is found in section 39 at the foot of page 127. It is a part of Jefferson's Manual.

But in small matters, and which are, of course, such as receiving petitions, reports, withdrawing motions, reading papers, etc., the Speaker most commonly supposes the consent of the House where no objection is expressed, and does not give them the trouble of putting the question formally.

That is simply confirmatory of what I said. I withhold the point of order for the present.

Mr. ALDRICH. Will the Senator from Missouri yield to me to make a motion touching the comfort and convenience of Senators?

Mr. STONE. I certainly will.

Mr. ALDRICH. I move that the Senate take a recess—

Mr. STONE. I want to hold the floor.

RECESS.

Mr. ALDRICH. I move that the Senate take a recess for thirty minutes. Many of us have been here for more than twenty-four hours continuously—nearly thirty-six hours, I think—and, speaking for the majority of the Senate, we may stay here many days longer. We certainly shall if occasion requires it. For the comfort of Senators, I ask that a recess may be taken that we may have the ventilation of this Hall and that Senators

may have an opportunity to get luncheon without being called to the Senate. I move that the Senate take a recess for thirty minutes.

The VICE-PRESIDENT. The Senator from Rhode Island moves that the Senate take a recess for thirty minutes.

The motion was agreed to; and at the expiration of the recess (at 2 o'clock p. m.) the Senate reassembled.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 208) for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 21003) fixing the compensation of certain officials in the customs service, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PAYNE, Mr. DALZELL, and Mr. UNDERWOOD managers at the conference on the part of the House.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 21052) to amend sections 11 and 13 of an act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," Nos. 1, 2, 3, 4, and 6, and had disagreed to the amendment of the Senate No. 5.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

H. R. 16757. An act for the incorporation of the Brotherhood of St. Andrew;

H. R. 17228. An act to promote the safe transportation in interstate commerce of explosives and other dangerous articles, and to provide penalties for its violation;

H. R. 19462. An act to amend section 5438 of the Revised Statutes;

H. R. 19795. An act to promote the safety of employees on railroads; and

H. R. 22029. An act to incorporate the Congressional Club.

AMENDMENT OF NATIONAL BANKING LAWS.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 21871) to amend the national banking laws.

The VICE-PRESIDENT. The question is on agreeing to the conference report.

Mr. STONE. Mr. President, the Senator from Ohio [Mr. FORAKER] intimated that he would make a point of order against my right, or claim of right, to read from this book I have lying open before me, the one he described as being very voluminous. I desire to enter a very broad and positive protest against the position assumed by the Senator from Ohio. It is an infringement of and an attempt at curtailment of the right of debate in the Senate. The rule of the Senate is that a Senator may speak to any question pending. There is nothing in the rule referred to, or in any rule, that undertakes to define the limit of debate, what a Senator may say, or how he shall proceed. Whatever may be in Mr. Jefferson's Manual, I undertake to say, to start with, that that Manual is not a governing authority in this body. It has never been so. It is an authority, as would be the work of any other writer on the subject of parliamentary law. I do not concede the right of the Senator from Ohio, acting singly, or the right of the majority of the Senate acting with him, to prescribe what a Senator may say in debate or how he shall proceed.

Mr. President, it has been the uniform practice of the Senate, without a precedent to the contrary, so far as I am advised, that a Senator may read from his desk any paper or anything he cares to read, if in his judgment it tends to illustrate or enforce the argument he makes. The Senator from Ohio or the Senator from Rhode Island may be of the opinion that what one of their colleagues in this body reads is inapplicable and impertinent; but by what token do they undertake to say and do they assume to prescribe, or by what right does any Senator or do any number of Senators, under the rules and practices of this body, undertake to say what is illustrative or what tends to enforce an argument? Shall some other Senator or some other member set up the standard which is to govern the Senator who holds the floor and is debating a proposition?

It is the rule, or the practice at least, if a paper is sent to the desk to be read, that it is read by consent. If it is placed in the RECORD without reading, it is done by consent; but it has never been contended, even on the floor of the Senate, I undertake to say, that a Senator occupying his own place, at his own desk, can not read anything that is proper to be read that does not violate the proprieties of the Senate, if, in his judgment—and in his judgment alone—it is calculated to illustrate and enforce the points in the argument that he is attempting to develop. I shall enter my protest against any claim of that kind.

But, Mr. President, even though the position in the abstract were well taken, it does not apply to the case now in hand. The Senator from Ohio rose and objected, making the point of order, which later he withdrew.

Mr. FORAKER. The Senator is mistaken in the statement that I later withdrew the point of order. I did not withdraw the point of order.

Mr. STONE. I understood the Senator to say so.

Mr. FORAKER. No; I said that I made the point of order, but I would not press for a decision upon it until Senators were heard, if they so desired.

Mr. STONE. Then the Senator still has his point of order before the Senate?

Mr. FORAKER. I so understand.

Mr. STONE. Well, I simply misunderstood the Senator as to that.

Mr. FORAKER. Yes.

Mr. STONE. Very well. Then the Senator from Ohio makes a point of order in the form of an objection to my reading something from a book, without knowing what I am going to read or knowing anything about its applicability to the measure pending before the Senate. Therefore he must base his objection upon the broad ground that a Senator has no right under the rules and practices of this body to read anything from his desk without first obtaining the leave of the Senate. Against that I protest as being in violation of the uniform and unbroken and immemorial practice of the Senate.

Mr. President, I stated just before the recess that during the course of the debate the senior Senator from Nebraska [Mr. BURKETT] had interrogated me about the form of currency that ought to be issued. Inasmuch as I was declaring myself against the bank issue as provided for in the pending bill, he asked me if I would tell him in general terms what kind of money I would rather have issued, and I explained in general terms that I favored the issuance of money directly by the Government and opposed the delegation of the power and duty of the Government to issue money to individuals or to corporations. Is not that pertinent to the discussion of a bill that proposes to change the whole theory of our monetary system? Anyway I think so; and though every Senator on this floor might hold to the contrary, I claim the right, by virtue of the commission I hold here, to take my own view of that subject. I insist that I have a right to read a page or two, if I care to do so, of something which, in my opinion, is well written and strongly put, which is an argument of force better than I can make or hope to make, in defense or in advocacy of the contention I make. Now, Mr. President, is a Senator to be denied that right?

The question of order is before the Chair, and I think that is all I care to say.

Mr. BACON. Mr. President, I trust the Senate will not, for the purpose of relieving themselves of any temporary inconvenience or embarrassment or on account of any dissatisfaction, take action which may have influence not simply with what we do to-day, but which must very nearly concern what we shall do and have a right to do in the future.

The question raised by the point of order raised by the Senator from Ohio [Mr. FORAKER] is a very important one, one which would be very far-reaching if the construction put by him on the rule, as stated by him, should be adopted by the Senate. It is a matter which would manifestly require long debate.

Mr. FORAKER. Mr. President—

Mr. BACON. And I simply wish to make, if the Senator will pardon me just a moment, that—

Mr. FORAKER. I only wanted to explain to the Senator.

Mr. BACON. I want to suggest to the Senator from Ohio—

Mr. FORAKER. Very well.

Mr. BACON. That we pretermitt that question, and if there is any rule to be adopted in the future, that it shall then be done. But I wish to suggest to the Senator—premising that I differ with him utterly and totally in his construction of the right of a Senator to read a paper, while agreeing with him fully as to the impropriety of reading immaterial papers—

premising that, I wish to suggest to the Senator the withdrawal of the point of order at this time, and to let us proceed, in the hope that the suggestion made by him may be taken up possibly at some future time, when we shall have a better opportunity to consider it, and that possibly by the withdrawal of his point of order now, we may proceed to a satisfactory conclusion during the present legislative day.

Mr. TELLER. Mr. President, I will join the Senator from Georgia in the request, because I think this is a question of sufficient importance to be debated and considered, but I should not like to see it hastily disposed of. I hope the Senator from Ohio will for the present withdraw his point of order.

Mr. FORAKER. Mr. President, I recognize the importance of this question; I recognize that it is far-reaching. It was in recognition of that fact that I called attention, as I did, to the fact that the Senator from Missouri [Mr. STONE] had read from a pamphlet at such great length, to the extent of consuming hours of time, and had then taken up another large volume, which made me nervous, because he had accompanied the taking up of the volume with a remark which indicated that he was about to proceed to read that; and inasmuch as it contains probably four or five hundred pages, that, taken in connection with other matters, indicating a purpose to delay, made me feel that it was an appropriate time for the interposition of the point of order which I made.

Now, I recognize that this is, in view of the practice we have had heretofore, a very important question, and I recognize that Senators naturally want to debate it fully. Therefore I will not press the point of order at this time, but I will simply reserve my right to offer it again if anything shall develop in the further progress of the debate that may cause me to feel that the situation is such as to call for the pressing of the point of order and the taking of a ruling upon it. For the present I will withhold it.

The VICE-PRESIDENT. The Senator from Ohio withholds his point of order for the present. The question is on agreeing to the conference report.

Mr. STONE. Mr. President, I think for the present I will yield the floor, as I understand that the Senator from Oklahoma [Mr. GORE] desires to address the Senate.

The VICE-PRESIDENT. The Senator from Missouri yields the floor. The Senator from Oklahoma is recognized.

Mr. GORE. Mr. President, I desire to say in the beginning that I have always professed myself a stalwart and unfaltering friend of organized labor. I have always been a stalwart and unfaltering advocate of the eight-hour law, and I desire to bear witness here and now that I do not voluntarily violate that rule on this occasion. [Laughter.] My transgression may be aggravated by the fact that I violate another rule of organized labor in that I am not receiving "time and a half" for overtime during the last night and to-day. [Laughter.]

I desire, Mr. President, to disclaim any responsibility for any protraction of this debate. It has been the unusual eagerness for discussion and for the enlightenment of the other side of the Chamber which has caused this debate to drag its slow length along. I desire now to assure any Senator on the other side that if he should wish at any time during my brief remarks to submit a motion to adjourn, reluctantly, sir, I should yield to the Senator for that purpose. [Laughter.]

Now, Mr. President, I make another promise in the beginning, that I myself shall not violate the rule which forbids reading in this Senate. Being the youngest member of my party and the youngest member of this Senate, I have desired to observe the traditions of this body. I have desired to appear here, first, under more auspicious circumstances than those which now prevail. I confess, sir, that I have been ambitious to appear here for the first time without exciting, I may say, the least unfavorable consideration on the part of both sides of this Chamber; but, sir, I do not think that sentimentality should reign and rule here over my sense of duty on this occasion.

I regard the pending measure as a pernicious measure. I think the pending bill is as bad as the limitations of human intelligence could make it, and for that reason I would, if I could, compass the defeat of this conference report.

I would, if I could, sir, take the Greeks at Thermopylae for my shining example; aye, sir, I would prefer the illustrious example of the Texans at the Alamo, when not one survived to tell the tale of slaughter and of disaster; but I realize that the infirmities of human nature make it impossible to defeat the pending bill, and I shall, therefore, give expression to my views as briefly as I can; and I hope that the brevity of my remarks will challenge the admiration of Senators on the other side, at least when compared with the suggestions of the Senator from Missouri [Mr. STONE] and the fleeting observations of the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. President, I presume that no one will suspect that I am guilty of any purpose of filibustering on this occasion. I protest, sir, a loftier motive. I have two hopes in my heart. One is that we can persuade the most potent, grave, and reverend "seigneurs" upon the other side of this Chamber to return to their former conviction, that railroad bonds should not be included in the measure now pending. That was the sentiment prevalent upon that side only a few fleeting weeks ago; and I presume a conviction founded upon a deliberate judgment and matured consideration.

Our purpose is to persuade those Senators to return to that commendable conviction or else persuade them to tell this side and to tell the country what overpowering argument, what subtle reasoning, what controlling authority has in a very brief time caused them to abandon their settled convictions and their fixed and resolute purpose. Either we want to persuade them to return to their convictions or persuade them to enlighten this side as to the arguments and the authorities which have occasioned the change over there. Possibly they might occasion the same change on this side; possibly they might justify all of us in passing this measure unanimously, and might justify the country in greeting the enactment of this measure with one universal acclaim of approbation and of applause.

It seems to me almost unfair for those gentlemen to withhold those considerations which had so decided an influence upon them. There may be some impertinent people in this country during the coming campaign who may insist upon an answer to that question. I doubt not that an answer satisfactory to Senators will be returned, but I submit, sir, that it ought to be returned now.

Mr. President, I desire to ask if the proceedings taken this morning with reference to a vote upon this measure are upon the Secretary's desk? If so, I desire that those proceedings be read.

The VICE-PRESIDENT. The Secretary will read the order made upon the motion of the Senator from Rhode Island [Mr. ALDRICH].

The Secretary read as follows:

Ordered, That when the vote is taken upon the pending conference report it shall be by yeas and nays.

Mr. GORE. Now, Mr. President, I submit that gentlemen on the other side have not only changed their convictions with reference to this measure, but they are, as I understand, changing, if not the rules, at least the practices and customs of this body. A suggestion was made during the early hours of the morning that there was no quorum present. That suggestion was overruled or held out of order. An appeal was taken to the Senate, and the Chair was sustained. When I reported here this morning, not altogether upon my own motion, a different Senator, to my surprise, I may say, was holding the floor and entertaining the Senate. In the meantime this action had been taken and this business transacted by the Senate—an order, sir, that when this measure shall be voted upon it shall be by the yeas and nays.

During the speech of the Senator from Missouri [Mr. STONE] I made the suggestion of no quorum. That suggestion was held to be out of order on the ground that no intervening business had transpired. Then, sir, I appealed from the decision of the Chair, and the distinguished Senator from Rhode Island [Mr. ALDRICH], with an ingenuity that added luster to his renown, interposed with the statement that a suggestion that was out of order could not be appealed from.

Mr. President, I am a new man in the Senate, but I shall have to change my decision if I ever appeal from a suggestion or from a ruling of the Chair that is made in my favor. It will be only those rulings which are adverse to my views and my convictions that I shall challenge, and that was the reason why I appealed from the decision of the Chair.

I make these observations in order to show, Mr. President, the revolutionary methods which are being employed to aid in the passage of this measure through the Senate. The majority of the Senate have changed not only their convictions, but changed the practices of a century, sir.

It has been the pride of the American Senate, and I may say of the American people, that there was at least one forum where free discussion forever prevailed. The Senate may not always have stood as high in the esteem of the public as it deserved to stand, and modesty forbids me to say that since my accession to the body its reputation ought to be enhanced in public favor, but, sir, it has been the pride of the American people that free discussion prevailed in the United States Senate. There was one forum where the truth could be elicited, where the merits and demerits of every measure could be discussed and illuminated without limitation or without hindrance, and I hope the day will never come when that tradition and that precedent shall be permanently abandoned.

I do not know what irresistible power is impelling the passage of this measure that Senators should resort to what seem to be such revolutionary tactics. It strikes me—perhaps born of inexperience and perhaps born of fear—that this proceeding is but the shadow of another scepter. I trust the time will never come when a measure can be passed through this Senate—a financial measure, a tariff measure, or any other measure of public concern—with a limitation of debate to one hour, to two hours, or even to three hours upon the side. I hope if that time ever comes there will be another branch of this Government, impelled by a regard for the Constitution, which will say that no measure can pass that body which did not pass this body under constitutional methods and practices.

To illustrate, if a public buildings bill were pending in the Senate and a currency measure were pending in the House, I should never be willing for the Senate to insist that unless the currency measure passed the House the public buildings measure would be murdered in the Senate. I hope it will never come to that pass, and I am sorry that the parliamentary regulations forbid me to speak with even greater plainness.

I desire to ask the parliamentary status of the conference report. As I understand, no amendment can be offered to the pending report; not one letter can be stricken out or added to it; it must be accepted as a whole or it must be rejected as a whole. Am I correct?

The VICE-PRESIDENT. The Senator from Oklahoma is correct. The only question is on agreeing to the report of the committee of conference.

Mr. GORE. I desired an explicit ruling on that point in order that the American people who are not experts in parliamentary law and usage might understand why the minority party did not offer salutary amendments to the pending report. I want the American people to understand why the minority made no effort, or seemingly made no effort, to pare the beak and the talons of this cross between a financial eagle and a vulture, related to the vulture in devouring the dead and related to the eagle in devouring the living.

I desired this ruling in order that the people might understand why we made no effort to extract the fangs or to dull the claws of this financial monster, or, in the words of Thomas Benton, this "tigress and her whelps."

Mr. President, if it were in order, there are several amendments I should propose to the pending report. I should offer an amendment providing that the banks in every State having the surplus of 20 per cent might organize one of these national currency associations, whether they had an aggregate capital and surplus equal to \$5,000,000 or not. I am opposed to any measure—financial, economic, political, or otherwise—which seeks to efface and to obliterate the State lines of this country. I understand there are seventeen States that can not organize State associations under the terms of this report. I would give the Senators from those splendid young Western States an opportunity to preserve the financial integrity and the financial entity and independence of their Commonwealths, and possibly State pride and local patriotism would inspire them to support such an amendment.

Mr. President, I would offer an amendment, if I could, to strike out railroad bonds, mining stocks and bonds, industrial securities of every description from the pending report, and I should hope that some of the Senators returning to their ancient convictions would support an amendment of that character.

Mr. President, I would, if I could, offer an amendment to the pending report providing that no bank could avail itself of the provisions of this law any of whose officers, directors, or stockholders were the officers, directors, or stockholders in any corporation which had been convicted of violating the antitrust laws of this country. I would not permit criminals to enjoy the benefits of this measure. I would not extend equal blessings to the guilty and the innocent alike. I would not vouchsafe equal assistance to the conspirators and to the victims of foul financial conspiracies in this country, and I should hope that some Senator on the other side, inspired by devotion to duty and his country, would vote against crime and would vote against criminals and would vote to discriminate between the guilty and the innocent.

Mr. President, there are other amendments which I need not enumerate here. One only shall I specify. I would insert a provision in this bill, which could not be violated with impunity, requiring banks everywhere to pay their depositors on demand and requiring banks in reserve cities to pay their patron banks upon demand.

Now, sir, this is an emergency measure. It is a life-preserver. It will stand the storm. It will prevent the return of panics in this country. It will prevent the necessity of banks

refusing their depositors on demand and the reserve banks refusing their patron banks on demand. Unless this measure is an admitted failure, a provision should have been inserted in it which no man would have dared to violate. They say that is the law now.

But, sir, it was violated with impunity, and I heard venerable Senators on the other side justify that violation and that lawlessness. But, sir, there will be no excuse for such lawlessness after this panacea for all our evils shall have been enacted into law.

Mr. President, it is not my purpose to follow the example of the strenuous and the strident one, to parade a catalogue or a lexicon of vile epithets. Before his distempered vision the criminal rich, malefactors of great wealth, undesirable citizens, parade like the countless heirs of Banquo before the affrighted eyes of the murderous Macbeth. I shall not follow his distinguished example. I am among those who do not reprobate riches as riches. We on this side wage war against wrongs and not against riches. We are aware from experience that a poor man may be either good or bad, and we know from observation that rich men may be good or bad. We believe that honest labor and honest capital are equally entitled to the protection of the law and ought to be shielded alike against the cormorant and the commune.

Mr. President, in the days of Andrew Jackson he denounced the United States Bank as a type and the embodiment of the money power. Pardon that ancient expression. Benton, as I have already said, called the bank the tigress and her whelps, and he warned his countrymen, while they had slain the tigress, to beware of the returning whelps.

Mr. President, this is not a strange spectacle to see the money power arrayed here in the Senate against the people of this country. In other days the fight was fierce and the fight was furious, but, sir, blessed be God, in that ancient conflict the people triumphed, and I trust they may triumph again.

Mr. President, four years before the expiration of the charter of the United States Bank from political motives Mr. Clay pushed the measure for the recharter of that institution through the American Congress. It finally passed both branches on the 9th day of July, 1832, less than five months before the Presidential election, in which Clay on the one hand and Jackson on the other were arrayed in a memorable contest.

The bank was situated in the State of Pennsylvania. The legislature of that State had unanimously declared in favor of the recharter. Pennsylvania at that time, be it said to her everlasting glory, was a stalwart Democratic State. Clay hoped by forcing that issue into the campaign that he could carry the State of Pennsylvania and be elected to the Presidency.

And when the measure passed both Houses it was triumphantly said that Andrew Jackson would not dare, would not assume the responsibility of vetoing it. Nicholas Biddle, the president of that institution, wrote to Henry Clay that Andrew Jackson was a chained panther, gnawing at his chains. But I say to you, Mr. President, that they misjudged that immortal hero, who would not shrink from any responsibility that was in any measure allied to his duty. He would sacrifice personal and political ambitions upon the shrine of his country's welfare, and he vetoed the measure; and when the returns came in Jackson had 219 electoral votes and the brilliant Clay had 49.

Mr. President, truth and justice and right have always been vindicated when fairly and squarely presented to the American people. I believe that every member on this side of the Chamber has equal honesty, has equal integrity, with that possessed by Andrew Jackson, whose political descendants and disciples we are. I believe that every member on this side is equally devoted to duty, loyal to principle, and consecrated to his country's welfare. But I fear me, sir, that for myself alone I am not possessed of that resolute, that unconquerable determination, which made him a victorious patriot and a patriotic victor over the enemies of his country, whether foreign or domestic.

I think it at least possible that if I were actuated by the spirit which impelled Andrew Jackson in that fight, if we were all possessed of equal resolution, I believe, sir, this measure would never pass the Senate, no matter how strenuously demanded by the money power or the moneyed interests of this country.

Mr. President, my objections to the pending bill are fundamental. I am opposed to it root and branch. It is wrong in principle, and it will prove unwise in policy. All human governments and all civil and social institutions are largely the results of evolution. The time was when the head of the family prescribed the law unto his own, where the patriarch of the assemblage of families, when the chief of the tribe by virtue of his inherent right, was the king among his brethren. The time was when the law consisted of the order of the head of the family, the patriarch or the chief. The time was when the only court was the highest power, and the time was that the

executive, the judiciary, and the legislative were one and the same. But in a long course of human experience it was demonstrated that a partition of power best secured the rights and the liberties of the people.

Mr. President, the time was when the power to tax belonged to the lord of the manor. It was a sort of military service rendered by the tenant to the landlord. Ultimately that service was commuted into the payment of money, and in a long course of evolution that power developed into the sovereign prerogative of taxation. The time was when the power to coin money belonged to the lord in his feudal domain, and it passed, as bills issued under this bill will pass, more or less current among the subjects. It was found to be an evil that a private individual should possess the power to coin money, and in course of evolution, in the course of human progress, the power to coin money became an attribute of sovereignty, and it is one of the highest prerogatives of a sovereign state to-day.

Mr. President, in the "land of the rising sun," in the Mohammedan countries of the earth, the power of taxation is farmed out to individuals, and that practice, coupled with another one which I need not now name, explains the universal stagnation which prevails throughout all Mohammedan countries. What motive, sir, to thrift, to labor, economy, to industry?

Why should one acquire property or credit when it may at any hour be confiscated by the ruthless taxgatherer?

The power to coin money is as sovereign and as sacred as the power to levy and collect taxes. It has been so demonstrated in all human history and it is established beyond controversy in the fundamental law of this Republic.

I say it is as vicious in principle, and I doubt not will prove as vicious in practice, to farm out the power to coin money as it has proven to farm out the power to levy and collect taxes. The sovereign power can with as much propriety farm out the power to administer justice as the power to coin or to issue money. It is a sacred trust vested in the sovereign by the consent of the subjects or the citizens, a power committed to him in sacred trust to be exercised in behalf of the entire people and not to be exercised in behalf of private individuals or private corporations for the mercenary motive of private gain.

Now, sir, this measure continues an ancient practice in this country of letting out to private corporations the sovereign power, the sovereign prerogative, of coining the currency of the realm. For that reason I say that my objections to the pending bill are fundamental. It can not be justified upon any considerations of principle or upon any considerations of policy.

Sir, the institution of banking has had somewhat a similar history. I believe the first bank, actual or so called, was that in Venice in the year 1171—not a bank as we now understand them, but a mere agency for the transfer of public credit. It was not an institution of deposit until 1587, and was then little more than a warehouse issuing warehouse receipts against bullion placed on deposit. Not until 1619 did it become a chartered institution, established and recognized by the law.

In 1661 the bank of Stockholm first issued transport notes, which served as a medium of circulation. Banks of credit were evolved and established by the banks of Amsterdam and Venice. The Bank of England was established in 1694, and has enjoyed a more or less illustrious career, checkered sometimes by failures and sometimes by signal successes. But by the Peel act of 1844 its powers as a bank of issue were finally established and limited by law. Its notes are a full legal tender in payment of all debts, so long as redeemed in gold.

The Bank of France was established by the great Napoleon in the year 1803. It was given a monopoly of issue in Paris in 1806, and that monopoly was extended throughout France in 1848. Its notes are full legal tender.

Bismarck, the iron chancellor, established the Imperial Bank of Germany in 1875 in order to aid in consolidating the German Empire. The German notes are in no sense a legal tender.

Mr. President, we have had some experience in banking in this country, and I may be allowed to say here that at the time this Government was organized under the Constitution there were only twenty-seven strictly business corporations chartered and existing in the United States of America. Eleven of those corporations were for the channeling of rivers, navigation, and three for the construction of bridges. The first bank established in this country was in Massachusetts in 1739. It was a land bank, and a little later, the same year, a bank was established by a number of wealthy merchants, whose notes were guaranteed by them and were hoarded.

But, sir, the following year the bubble act of Great Britain was extended to the colonies, a measure passed twenty years before in consequence of the South Sea bubble, a modern financial panic born of speculation and of frenzied finance. A bank was chartered by the Congress in 1781—the Bank of North America—but with moderate success. Another was established

soon after the organization of the Government under the Constitution.

But I need not trace these various institutions further than to say that almost every experiment which the mind of man can conceive in regard to banking has been tried in the United States. There have been State banks of almost every description. I wish I could quote literally the language of John Sherman as to the multiplicity and the variety of these institutions. The safety-fund system was tried in New York, beginning in 1829, and the free banking system, a system based upon United States bonds, State bonds, and ultimately, the State bonds of New York alone, was tried out in that State and with not satisfactory success.

But, sir, in 1863, under the leadership of Mr. Chase, the best features, I may say, of the various banking experiments in this country were united in the present national banking system. The supreme purpose was to create a market and a demand for United States bonds. They therefore made them the basis of a circulating medium, and soon after State bank notes were taxed out of existence.

Mr. President, whatever else may be said against the national banking system, the note holders are secure. Their security is as sacred and as solvent as the credit, as the concentrated property and wealth of this matchless Republic. The notes are safe and secure. There are two objects which ought to be sought in any banking system. One is security of the notes and the other is the flexibility of the volume. It should yield to the business demands of the country. But, sir, the supreme effort of financiers has been to combine those two virtues and those two desirable objects—to unite in the same system security and flexibility.

How does the present measure harmonize with the existing banking system of this country? There are two theories in regard to bank notes. One is that they are a form of currency and ought to be regulated and controlled by the Government. The other is the banking theory, that the notes are merely a form of bank credit, the same in essential character as bank deposits, and that the State should not interfere in the regulation of the volume.

Mr. President, our national banking system may be called, in a sense, banks of issue. They are an agency which the Government has adopted for dividing up its own credit into circulating notes, or, rather, instead of using its own notes, Treasury notes of small denominations, it issues its own bonds and permits the banks to divide up the bonds into smaller portions of credit in the shape of notes.

The proposition to use State, county and municipal bonds as a basis for currency changes the essential character of our banking system. They are not forms of national credit. We are shifting from one foundation to another in this measure.

Mr. President, the pending measure is the beginning of a new system, and it is the beginning of a bad system. It appears here under the plausible, the specious name of an emergency currency, and it is being passed by emergency tactics. State, county, and municipal bonds in this measure are made the basis of an extraordinary currency. I know how dangerous is the rôle of prophet, but I predict that in less than twenty years State, county, and municipal bonds will be made the basis, not of an extraordinary currency, but they will be made the basis of our ordinary currency. National bonds are too scarce and they are too dear. No national bonds, no national banks. The liquidation of the national indebtedness would mark the downfall of our banking institutions, and some other alternative must be invented and provided looking forward to that contingency.

I might say here, that secure as our notes have been, a banking system based upon a debt is an unscientific system. It assumes a public misfortune as a condition precedent to its very existence. It can not be justified upon safe, sound, and enduring banking principles.

But, sir, that is the best feature of the pending bill. That is its better half, and I wish that were its only half. Look at the amazing proposition embodied in the Vreeland section of the bill. A sort of hybrid is this measure, a cross, a financial monstrosity. What is proposed in the Vreeland half of this measure? I can not think that the distinguished Senator from Rhode Island surrendered his demand for railroad bonds in the Senate measure with an ultimate view to bringing that provision back in a conference report from which it could not be eliminated without the defeat of the entire measure. I indulge no such suspicion as that.

What are the securities proposed in the Vreeland department of this bill? Or, rather, I should ask, what are not the securities embodied in the Vreeland bill? That, sir, is an omnibus

measure of the most omnibus description, without limit and without limitation. The measure of the distinguished Senator from Rhode Island, which I opposed so strenuously, but which I almost recall now with feelings of regret and lamentation, contained a provision that only railroad bonds could be used when a dividend of 4 per cent had been paid for five years upon the railroad stocks involved. That, sir, was some guaranty that the securities were safe, were desirable, were valuable. A continuous business period of this country of five years, paying 4 per cent dividend, afforded some guaranty that the railroad was a paying enterprise; that it was a rational business investment; that it was not a wild-cat stock which may or which may never have paid dividends at 4 per cent, or any other per cent. Is there any requirement that the railroad bonds or other securities provided for in this measure should ever have paid a dividend? May not mining stocks, soaring skyward to-day and rushing down to the bottomless pit to-morrow, be used as a basis of our sound, safe, sane currency, which must be based upon intrinsic value and labor?

"Labor is always the first and most unfortunate victim of an unsound and a dishonest currency." What sort of bonds may not be used? Bonds of some flying-ship corporation may be made the basis of our soaring and our flying currency.

Not only that, Mr. President, but with Dean Swift's experiment of extracting sunbeams from cucumbers some enlightened company may be organized for that patriotic and useful service. Its bonds may be made the basis of our national currency, and they may bring sunshine or they may bring gloom to the laborers of the country, the "most defenseless victims of an unsound and a dishonest currency."

Mr. President, the junior Senator from Tennessee [Mr. TAYLOR] has at times discussed a scheme known as the "electroscoot," to be laid from New York City to San Francisco. Passengers embark at New York City and they arrive in San Francisco two hours before their departure from New York City. [Laughter.] Now, sir, that is the perfection of a panic currency. When the panic breaks out in New York, the birthplace of nearly all panics, a soil where they germinate and thrive with peculiar luxuriance and with peculiar destructiveness, a carload or two of this "V. & A." panic panacea will be shipped to San Francisco and will arrive two hours before the panic and will prevent the panic. Sir, that is a splendid achievement in financial science and in currency reform. I admire the versatility of the Senator from Rhode Island, but, sir, this is the ultimate stretch of his financial genius.

Mr. President, who owns these bonds and these securities? I know very little about the securities. I have never invested very extensively, for reasons too delicate to mention. [Laughter.] But I have the assurance of the distinguished Senator from Rhode Island that these State and municipal securities are so fluctuating that no prudent banker can afford to invest. I have great faith in his financial acumen and discretion. But, sir, he has faced about. Whether the recent panic proved the value of those bonds and showed that they were panic proof, I know not. But, sir, I appeal from Cæsar drunk to Cæsar sober. I prefer the judgment of the Senator from Rhode Island before he embarked in this financial electroscoot. It has misled his judgment; it has changed his views.

Sir, I do not own any of these State bonds, nor any of these county bonds, nor any of these city bonds. Who does own them, Mr. President? I take it that a few financial concerns in this country have a practical monopoly of those securities. I have satisfactory authority for that statement.

Sir, what will be the effect of this measure? Every small banker throughout the country will desire and will almost be obliged to provide himself with these life-preservers, to have a small allotment of State, municipal, electroscoot, air-ship, sunshine, and cucumber bonds. What will be the effect of this measure? I do not say the design of this measure, but I say, sir, what will be the effect of this measure? It will be to create a market for these hoarded securities, and the effect will be to bull those securities. They will be unloaded on the banks throughout this country, I doubt not. The banks will not buy some of those securities. Let us rely upon that as a protection against the worst extremity of this measure for harm.

Mr. President, what else will be the effect of this measure? I may say in passing that there is one section which I approve in part. That is the section which says it shall expire by limitation of law on the last day of June, 1914. If the date were earlier, I would approve it more heartily, and the earlier the better.

But, Mr. President, this measure will never be invoked but once. Whenever this deluge of panic money is once let loose upon this country, and when that flood subsides, the shipwreck

and the ruin that are left within its wake will be an everlasting protection against its subsequent employment in this country.

Mr. President, this measure provides for \$500,000,000 of panic currency. What does that mean? It means that the hoarders and the owners of these securities can never avail themselves of the benefits of the measure until this country is racked in the throes of a financial panic. We offer a reward, a premium of \$500,000,000 upon the production of a panic. We say to the owners of these securities, "Precipitate a panic and we will pay you \$500,000,000 for your patriotic services."

We say, "Fail and refuse to precipitate a panic, and you shall not reap the blessings of this accursed measure." Is not that, Mr. President, the provision? Is not that the effect of the pending bill?

We give the country a demijohn of alcohol in the one hand and an ounce vial of Keeley cure in the other, and we tell the country to debauch and sober up, and sober up and debauch, ad libitum, ad infinitum, whatever that may mean. We undertake to put the country in a financial strait-jacket and turn it into a padded cell and let it plunge itself against the padded walls, as we hope, forever, with impunity and without harm.

Now, Mr. President, what do you imagine would have been the sensible thing for the Senate to have done when it assembled here in December? Six months have crept by. Would not the rational thing have been to inquire into the causes of the panic? Did that ever occur to you, Mr. President, or to members of the Finance Committee? When we find ourselves in distress and under a calamity curiosity if not interest ought to actuate us to inquire into the causes of the disaster. That would have been interesting. I believe the distinguished senior Senator from Texas [Mr. CULBERSON] has curiosity enough to introduce a resolution of that sort, and, I think, I heard the assurance come from an authoritative source that the causes of the panic would be inquired into.

Mr. President, this panic came upon this country like an untimely frost upon the fairest flower of all the fields. The elements of material prosperity were abounding. I know some do say that the South African war and the Spanish-American war destroyed a vast amount of capital the eventual effects of which were felt in this panic; but, sir, that cause is too remote to be rational.

Some say that the Russo-Japanese war, the fire in Baltimore, the earthquake at San Francisco, destroyed much capital and thus contributed to this panic. But, sir, the earthquake at San Francisco and the fire at Baltimore will not compare with the conflagration and the disaster that will follow the first experiment with this newfangled electroscot currency.

I say, Mr. President, that the day after the panic occurred, the day after those evils were let loose upon this country, the day after we had in this country all the wealth, all the property, all the capital, all the money, all the labor, all the energy, all the skill, all the talent. We had all those elements of material prosperity here the morning after that that we had the morning before the panic. Sir, we had everything that contributes to or constitutes material prosperity excepting credit alone. Credit had been strained to the snapping point. Confidence had fled the country, as I believe, before the financial miners and sappers of this land.

Mr. President, I am the youngest member of this body, but I think the Finance Committee ought to have inquired vigorously into the causes and into the causers of that panic, and it ought to have told the American people the full name of those financial pirates who have shipwrecked the prosperity of this fair land.

It seems to me that would have been but rational. Now, at the peril of seeming radical and revolutionary, I venture to submit an idea that I saw in a respectable magazine, that two great financiers of this country, the heads of great financial interests, had a longing in their hearts for the copper mines, the banks, the railroads, the coal and iron mines, and the steamship lines of certain other smaller financiers. And I believe, Mr. President, that in order to find the little financial sharks we will have to dissect the big financial sharks. I believe if a full inventory could be obtained of those substantial and conservative business men, it would show enrolled a number of properties which had previously belonged to the lesser lights in that financial kingdom.

I have a curiosity to know, and I think the American people have a right to know, and, pardon the suggestion, I think it was a patriotic duty of some committee of the Senate to ascertain and to furnish the Senate and the country a just and fair conception of the causes of the panic and the promoters of the panic. Then, Mr. President, we might have devised ways and means like rational men and like sane legislators to meet a condition and an exigency which we understood.

Mr. President, what was another cause, a contributing circumstance, to the panic? The banks throughout the interior of this country, the business men in my section and in every other section of the country outside of the birthplace of the panic, were conducting their business upon conservative principles, without dreaming that they were driving headlong on the breakers. They were all shocked when they were advised by night that a panic was journeying westward from the rising sun.

Mr. President, what is one of the principal causes of this panic? Sir, I venture to assert the fact that the banks in the interior of this country had placed a part of their reserve on deposit in the reserve and central reserve cities, and when the demand came upon them they could not meet their legitimate demands, because the reserve banks would not repay their deposits. Now, what does that suggest to any man seeking a remedy for existing conditions? Prevent a recurrence of that condition, of that operating cause, and that will assist in preventing the effect of the panic.

Mr. President, \$400,000,000 from interior banks were on deposit in New York City. When the crisis came only \$20,000,000 were returned, less than 5 per cent.

I submit that this measure ought to have embodied a clause modifying the present system of reserve and central reserve cities. Why so? Because the concentration of this vast volume of money in New York City is not a result of a legitimate business demand. If so there would result no disastrous business consequences. If that vast volume of money, like water seeking its level, should flow naturally in response to legitimate business demands to New York City, I say, sir, there would be no disastrous consequences following upon that circumstance.

But, sir, it is forced there, I might almost say by hydraulic pressure, in quest of interest, not in response to business demands. But when deposited there on interest, what must the reserve banks do? They must, by hydraulic pressure, pump back money into the veins and arteries, not of trade and commerce, but, sir, of frenzied speculation. They must force it into circulation in order to realize the interest they are paying. It goes out in response to an unwholesome and unnatural demand, and not in response to a natural and legitimate demand.

When the interior banks seek their reserve they can not withdraw such a vast volume even from the artificial veins and arteries of speculation without precipitating a crash and without precipitating a panic.

Sir, Congress, sovereign as it is, can no more repeal the fundamental laws of finance than it can repeal the fundamental laws of physics. We propose to turn loose \$500,000,000 of panic currency, not based on gold but based on wild-cat securities. What has become of the Gresham law, supposed to be infallible, that bad money will drive out good money? Does this measure repeal the Gresham law? I would suggest, Mr. President, it is quite as possible for the Senate and Congress to repeal the law of supply and demand. We might just as fittingly authorize—I will not say the President, he already enjoys the power—but authorize the Secretary of the Treasury to suspend the laws of gravity and of gravitation. "Me and my world" should need no authorization; but the Secretary of the Treasury might stand in need of the nod or the wink of Congress.

Mr. President, we are harking backward. We are returning to the condemned currency of antebellum days. We will again hear a "wild cat" call; we will hear the "red dog" snarl and growl; we will hear the "blue pup" howl from the Eastern to the Western sea.

Now, Mr. President, I would make a suggestion to the Senator from Rhode Island. He is nothing if not a candid man. The circulation notes issued on these securities ought to bear a description of the peculiar bond which gives them virtue, solvency, and currency. If they are based on a railroad bond, a locomotive might be emblazoned upon the note; if upon the sunshine-cucumber bonds, then a saffron-hued cucumber, or an airship, or an electroscot, as the occasion might be.

Sir, let us perfect this system. We now have the vitascope among us and the graphophone. If these are to be wild-cat notes, employ the vitascope and let the living, moving wild-cat parade to and fro upon this panic currency. Not only that, but use the graphophone, and let the "red dog" or the "blue pup" whine in his old-fashioned way upon this newfangled currency. That would be perfectly candid.

Mr. President, I am a new member here, and it may be surprising to Senators when I admit that there are some things about legislation which I do not know. It may be even more surprising when I say there are some things which I am finding out.

Mr. President, how was the panic met? What measures were employed to shield the country against its disastrous and destroying effect? I desire to have a letter of the President to

the Secretary of the Treasury read to the Senate. It appears on page 230. Anything from that pen, sir, is not only edifying to me, but to the Senate.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

No. 17.—LETTER OF THE PRESIDENT TO THE SECRETARY OF THE TREASURY.

THE WHITE HOUSE,
Washington, October 25, 1907.

MY DEAR MR. CORTELYOU: I congratulate you upon the admirable way in which you have handled the present crisis. I congratulate also those conservative and substantial business men who, in this crisis, have acted with such wisdom and public spirit. By their action they did invaluable service in checking the panic which, beginning as a matter of speculation, was threatening to destroy the confidence and credit necessary to the conduct of legitimate business. No one who considers calmly can question that the underlying conditions which make up our financial and industrial well-being are essentially sound and honest. Dishonest dealing and speculative enterprise are merely the occasional incidents of our real prosperity. The action taken by you and by the business men in question has been of the utmost consequence and has secured opportunity for the calm consideration which must inevitably produce entire confidence in our business conditions.

Faithfully, yours,

THEODORE ROOSEVELT.

HON. GEORGE B. CORTELYOU,
Secretary of the Treasury.

Mr. GORE. Now, Mr. President, I ask for the reading of the second epistle on the next page as far as marked.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

THE WHITE HOUSE,
Washington, November 17, 1907.

MY DEAR MR. CORTELYOU: I have considered your proposal. I approve the issue of the fifty millions of Panama bonds, which will be immediately available as the basis for additional currency. I also approve the issue of \$100,000,000, or so much as you may find necessary, of \$50 3 per cent interest-bearing Government notes, the proceeds of the sale of which can be at once deposited by you where the greatest need exists, and especially in the West and South, where the crops have to be moved. I have assurance that the leaders of Congress are considering a currency bill which will meet in permanent fashion the needs of the situation, and which I believe will be passed at an early date after Congress convenes two weeks hence.

Mr. GORE. Mr. President, in the first letter read to the Senate, with a conservatism entirely incompatible with his whole character and career, the President fails to mention the names, and fails, as I think, to do adequate honor (?) to those substantial and conservative business men, and I trust that I violate no confidence when I submit the names of J. D. Rockefeller and J. P. Morgan as being those of the "conservative and substantial business men" whose splendid patriotism and public services received the plaudits of His Excellency.

The President congratulates the Secretary of the Treasury upon the "admirable way" in which he "handled the present crisis." That letter was indited on October 25, 1907, and I submit, sir, that whatever had been done at that time by the Secretary of the Treasury had the unqualified indorsement of the President of the United States. Let us see what measures had been taken by the Secretary of the Treasury in his admirable handling of the panic. He deposited millions and multimillions of the people's money in national banks and in public depositories throughout this country; and wherever he may have placed those deposits he had the approval of the President.

The President knew where those deposits ought to have been made, and he states in his letter of November 16 that the proceeds of the bonds issued should be deposited in the South and the West, where they were needed for the movement of crops. I submit to the Senate a list of the banks in which the public moneys were deposited between the 19th of October, the Saturday preceding the Monday when the crisis burst in all its fury and the 31st of October.

Sir, the public deposits in various national banks were increased many, many millions of dollars, and the President indorsed their distribution throughout the country. I submit to you, Mr. President, that from the 19th until the 31st of October the Secretary of the Treasury increased the public deposits in New York State \$34,000,000. He increased the deposits in the great imperial State of Texas during those twelve days \$190,000, while he increased them in New York State one hundred and thirty-five times as much as he increased them in the State of Texas, which, if I understand the geography of the situation, is situated both in the South and in the West, and they have some crops in transit during the month of October.

I submit that during those twelve days the deposits were decreased in the State of Vermont about fourteen or fifteen thousand dollars; in the State of Washington the decrease was more than \$100,000, and in the splendid young State of Oklahoma during those twelve days the decrease of public deposits was \$550,000. Whether that be a compliment to our bounding prosperity or an indifference to our welfare, I know not; but, sir, to

take the money from a Southern and Western State, where crops were moving, and transfer it to the State of New York, where the panic had been bred and born, I submit does not harmonize with the declarations of the President of the United States in his second letter to the Ephesians on November 16.

I want to say, as a matter of especial interest to the senior Senator from Missouri [Mr. STONE], that the relative populations of New York and Missouri are in the ratio of two and a half to one. One would suppose that the distribution of the public funds might have been based upon population, because every citizen of this Republic owns, share and share alike, every dollar's worth of money and every dollar's worth of property held by the United States Government, or if that ratio was unfair, then the Southern and Western States, where crops were moving, might have been entitled to something more than an equal share and an equal proportion of these moneys.

The deposits in New York were increased more than \$34,000,000. Perhaps the Senator from Missouri would imagine that the deposits in his great, prosperous, and imperial State would have been increased in the neighborhood of twelve or thirteen million dollars. By no means. I submit to you, Mr. President, and to the Senate, that during those twelve days, when this country was in the throes of panic, when the farmers were languishing for the want of money, when calamity had come upon this country through no fault of the Western and the Southern farmer, the deposits in Missouri were not increased \$12,000,000, but during that panic-stricken period of twelve days the deposits in Missouri were increased the enormous amount of 62 cents. [Laughter.] Sixty-two cents, sir, to a Southern and Western State where crops were in transit. That is where the President said the money ought to be placed—in the Southern and Western States, where the crops were moving—and he congratulates the Secretary of the Treasury upon his admirable handling of the panic in the deposit of \$34,000,000 in the "Southern and Western" State of New York, and apportioning 62 cents to the great State represented by, I might say, the tongue-tied senior Senator from Missouri, who has just regaled the Senate with his eloquence and his erudition.

Mr. President, perhaps I am justified in saying to the Senate that one bank controlled by the Standard Oil concern received during those twelve days an increase of \$9,000,000 of public money, making the aggregate of \$14,000,000 in one bank in New York City, "where crops were moving;" and there was an increase in another bank—the Hanover Bank, presided over by the financial genius of Mr. Rockefeller—of \$5,000,000. So that on the 31st day of October the two banks I have mentioned, the National City Bank and the Hanover Bank—two toys in the hands of Mr. Rockefeller—had an aggregate deposit belonging to the people of Missouri and Texas and other States of more than \$24,000,000.

How unfortunate that amount was not increased \$5,000,000. Then that great concern could have liquidated the unreversed judgment, now standing against it, without the loss of a single farthing to its coffers. That is why I wanted to prohibit corporations which had been adjudged guilty of violating the anti-trust law from participating in the benefits of this measure. To me—I will not say more than that—it is a lamentable commentary upon the fidelity of the Secretary of the Treasury that he should deposit \$24,000,000 belonging to the American people in a financial institution controlled by a corporation which had been adjudged a criminal under the laws of the land and had been fined in the sum of \$29,000,000. Yet the President congratulates the Secretary of the Treasury upon his "admirable handling of the panic" and upon "the splendid services of those conservative and substantial business men."

Now, they are "conservative and substantial business men." For once I agree with His Excellency. They are rapidly absorbing the substance of the country and tenaciously conserving all that they can get, remembering the ancient maxim: "Let him get who has the power and let him keep who can."

Sir, in another institution presided over by that splendid financial genius, Mr. Morgan—and I beg pardon if I violate any feelings of delicacy (?) in mentioning these names—that institution, the First National Bank, under Mr. Morgan's influence, received an increase during those twelve days of \$9,000,000. The National City Bank, belonging to Rockefeller, received an increase of \$9,300,000, and Mr. Morgan's bank, the First National Bank, received an increase of \$9,250,000—a discrepancy of only \$50,000.

That is evenhanded justice! There is no favoritism perceptible in that transaction, and there were on deposit in two banks presided over by Mr. Morgan—if I may repeat his name—a sum of about seventeen or eighteen million dollars of the people's money, belonging to the people of Illinois, Missouri, Texas, and Oklahoma, and one bank of Rockefeller's and one bank of Mor-

gan's each received ten times as much public moneys during those twelve days as did the magnificent Commonwealth of Illinois—ten times as much to each of those two institutions as went to the entire State of Illinois! Now, sir, that is the admirable manner in which the Secretary of the Treasury handled the present panic. I confess my inability to discriminate between the President's "conservative and substantial business men" on the one hand and his "undesirable citizens" on the other. They all look alike to me.

But, Mr. President, I come to still another chapter. On the 16th of November the second epistle was written, approving the proposed issue of Panama bonds and of interest-bearing certificates, as I believe, without any warrant or authority of law. Sir, there were bonds issued in other days which have been complained of in national platforms. In those other days, if there was no reason—and I think there was none—possibly there was some color of excuse. An impaired reserve and a deficit in the Treasury, if no reason, may have been regarded as a colorable excuse for the issuance and sale of bonds; but I submit, sir, that with a surplus of \$240,000,000 in the Treasury, belonging to the people and which should have been in circulation among the people—to issue bonds under those circumstances, not for the purposes prescribed by law, but in order to help banks put money into circulation, has no justification in conscience, law, or public policy.

But, sir, the President says that he indorsed the proposed issue and that the proceeds should be placed where most needed, especially in the South and West, where the crops were being moved. Of the \$25,000,000 of Panama bonds, where were the proceeds deposited? Six million eight hundred thousand dollars, more than one-fourth, were deposited in that "Southern State" of New York. More than three and a quarter million dollars were deposited in the "Western State" of Pennsylvania. It is said that the late distinguished Senator from Massachusetts, Mr. Hoar, whose demise subtracted vastly from the intelligence and patriotism and glory of this body, was asked on one occasion if he had ever been West, and it is said that he replied that he had; that he had visited Pittsburg. [Laughter.] Perhaps it was the same sense of geography and of latitude and longitude which inspired the conduct of the Secretary of the Treasury.

More than a million and a half was deposited in Ohio; nearly half a million in the State of Illinois, and half of the proceeds of the Panama bond issue were deposited in the four "Southern and Western States," where the crops were moving—New York, Pennsylvania, Ohio, and Illinois—and a mere trifle was deposited in Oklahoma—which had at that time hardly been discovered—and in the great State of Texas, which produces one-third of the cotton crop of the entire earth. That is the "admirable manner" in which the Secretary of the Treasury "handled the recent panic!" If the Senate and if the country concur in that indorsement, it is merely a point of difference between them and my own humble conception of public duty and of public service.

Mr. President, after these preliminary remarks, I desire to reiterate, perhaps to the astonishment of the Senate, that I am learning something about legislation and legislative proceedings. I have learned that there are some legislative questions which ought to be determined by Congress; that there are others which ought to be determined by a high commission of some sort, or, I might say, a commission of any sort. [Laughter.] There are some legislative questions which ought to be determined before a Presidential election; there are others which ought to be remitted to a date subsequent to a Presidential election; and there are some distinguished prophets, for whose judgment and inspiration I have infinite regard, who can foresee with precision that an extra session of Congress should be called, whether immediately after or immediately before the election, my memory serves me not.

I have learned those fundamental principles of legislation already, and I am learning to some extent—I have not learned entirely—how to differentiate between those questions. I am sometimes puzzled and perplexed sorely as to whether Congress ought to decide a question or a commission ought to decide it. I am sometimes sorely bewildered as to whether it would be to the best interests of the country to settle these questions as they come up, or whether we should fly from our duty, shirk the responsibility, and wait until the Presidential election has come and gone.

I want to say to you, Mr. President, that the man or the party that is afraid to meet responsibility is unfit to meet responsibility; and I submit to the one side and the other of this Chamber alike that those who stand in constant fear of assuming responsibility rarely realize very long their ill-founded fears. The people will not trust men or parties that do not

trust themselves. The people will not follow a leader that will not lead.

Now, Mr. President, I have discovered that the financial question and legislation upon that subject has a sort of twofold character. Part of it, combining the emergency feature, should be decided now before the adjournment of Congress, and not without full and deliberate and untrammelled debate. There are other features of the financial question which ought to be referred to a Congressional commission. I wish that this measure, for the enlightenment of the Senate and the enlightenment of the country, had catalogued the peculiar features which ought to be remitted to this Congressional commission; but I see in that a splendid political strategy that this commission, like the great apostle, could, if it would, be "all things to all men." That commission, sir, is a tub to the whale, a sop to Cerberus. It will of course do nothing, and upon that it may be entitled to the congratulation and the gratitude of the country. But, sir, this is a convenient political dispensary, where promises, if anyone should see fit, could be, but probably—certainly, I may say—will not be dispensed.

Mr. President, there are other questions as to which I can not tell whether they should be referred to a commission or to Congress. There is the tariff question—if I may be pardoned for introducing so modern a subject—which ought to be referred to experts of some sort, or of any sort. Everybody admits, and nobody denies, that the tariff ought to be revised. The only question is, whether it should be revised up or revised down; whether it should be revised to-day or revised to-morrow; whether it should be revised before the Presidential election or subsequent to the Presidential election. I submit, Mr. President, that any fair investigation into the causes of this panic would lead to a conclusion that the tariff should be revised, and revised down. Under our present system, which nobody defends but everybody condemns, money has been extracted from the people's pockets and concentrated in the Treasury of the United States in the sum of \$240,000,000.

If that money had been allowed to remain where it belonged, in the pockets of the people, every dollar would have sustained a superstructure of credit of from three to four dollars, an aggregate credit in the country of more than \$700,000,000, which would have done more than all your air-ship securities to have prevented the recent panic. Any fair investigation and any honest conclusion would demand that the tariff be revised and that it be reduced; and, Mr. President, if it were revised, if raw materials were placed on the free list, if the shackles were stricken from the hands of our manufacturers, if they were permitted to engage upon equal terms in the great conquest of the markets of the world, that would create a demand for labor and would give employment to labor, which would have done much to parry the effects and the evil consequences of the recent panic.

I say to you, Mr. President, that we have gone to war for an open door in China; but we insist upon a closed door in America. The closed door for China is uncivilized and is barbarous. The closed door for the United States is the perfection of high and enlightened statesmanship. A strange sort of philosophy and statesmanship is this, which is defined by parallels of latitude and meridians of longitude.

Mr. President, whenever you close the doors of this country to keep imports out, you close those doors to keep exports in. That, sir, is as infallible as truth itself. Only by letting the gates ajar and receiving the goods and wares and merchandise of the world can we hope to share the markets of the world. We can not monopolize the home market and enjoy a fair and reasonable share of the foreign trade of the world.

But, sir, that ought not to be decided before a Presidential election! The burdens of the people ought not to be alleviated before such an election! The splendid prospects of that joyous occasion are ample compensation for these burdens of taxation! Any member of the majority party in this Senate will assent to the proposition that high taxation in a city is an evil; that high taxation in a county is an evil; that high taxation in a State is an evil; but, sir, when it comes to the United States these fundamental principles are reversed. High taxation becomes an infinite blessing, and low taxation becomes an insufferable curse. There are those amongst us who are insistent on our position with reference to taxation, who believe that an unnecessary tax is an unjust tax; who believe that high taxation is always and everywhere an unmitigated evil, and that low taxation everywhere and at all times is a blessing to be sought and to be encouraged.

I have sometimes regretted that imports into the United States could not bear an import tag of some description, stating the amount of duty which the articles bore, so that all good Republicans could cheerfully seek out the taxgatherer and pay

their tribute to the Government. The Democrat who desired to shirk this burden of taxation could exercise his option as to whether he would pay excessive duties or not. I have wondered if the Presidential election should be determined upon that principle, what candidate would be triumphant in the coming election.

Mr. President, I want to say that the argument that a high tariff is responsible for high wages is unfounded. In protected Germany wages are lower than in free-trade England, and yet the agrarians in that country and the manufacturers clamor for a high tariff against free-trade England. Wages in the United States are twice as high in some lines of industry as they are in England and almost three times as high as they are in Germany and France, and I call your attention, Mr. President, to the fact that the wages in the unprotected industries in the United States are just as much higher than the wages abroad as are the wages in the protected industries of the United States.

I say to you that the superior wages of the American laborer are due not to the Republican party, are due not to the protective tariff, are due not to the Federal Government. The superior wages of the American laborer are due to the superior intelligence, the superior skill, and the superior industry of the American laborer over all the laborers of all the world. It but robs the American laborer of the credit and the glory which is his own when any party arrogates to itself or any of its policies credit for the high wages enjoyed in either protected or unprotected industries in the United States.

As to carpenters, masons, bricklayers, clerks, cooks, boiler makers, barbers, bartenders, according to the report of Carroll D. Wright, an authority which will command respect on the other side, the wages in those lines of industry in the United States are just as much higher than abroad as they are in the protected branches of labor in this country.

I say to you further, Mr. President, that in proportion to output, in proportion to the units of production, the American laborer is the poorest paid laborer on the face of the earth to-day. Instead of higher relative wages they are the lowest under the sun.

Mr. President, I have learned that the question of injunction—and disturbances between labor and capital help to aggravate panics, by the way, and anything which would quiet those disputes and those disturbances would tend to prevent panics and alleviate their evils when they come—I have discovered that injunction legislation ought not to take place prior to a Presidential election, but is scheduled for a date subsequent to such an election. There are, I believe, 2,000,000 laboring people in this country vitally concerned in the enactment of that legislation.

I believe—I know not, but I believe—that Senators on this side are willing to vote now to afford that protection to the laborers of this country. If Senators on the other side will manifest one twenty-fourth of the eagerness and the anxiety to protect the laborers that they have exhibited to protect the bankers of this country, injunction legislation will occur not only before the Presidential election but before the adjournment of this session.

I have learned that publicity of contributions to campaign funds is a matter that by no means should be considered before a Presidential election, not because it might diminish the contributions to anybody's campaign fund, but, in the very nature of things, it can be more wisely determined in the calm autumnal days which follow the elections rather than in the strife and turmoil which precede the contest.

I believe Senators on this side are willing to vote now for a publicity measure disassociated with politics, disassociated with the fourteenth or fifteenth amendment. If Senators on the other side will exhibit one-tenth of the eagerness for such legislation that they exhibit for this legislation, then, sir, a measure of that description can be enacted not only before the Presidential election but before the adjournment of the present session.

Mr. President, I learned that measures to prohibit speculation—the cause of panics, according to the President's letter—that measures to prohibit gambling in futures ought not to be considered before the Presidential election, but they are in season subsequent to such an election.

There are some on this side who believe that it is quite as solemn an obligation on the part of the Senate and Congress to protect the farmers against such gambling as it is to protect the gamblers who precipitate panics; and I believe if Senators on the other side will exhibit one-tenth the anxiety for legislation of that description, they can realize their hope and they can relieve this country by securing such legislation, not only before the election, but before the adjournment of the present session.

I have learned that questions relating to the restoration of discharged troops, and especially troops of a certain complexion,

ought not to be determined on the eve of a Presidential election. But those questions are reasonable just after such election, when the passions and the animosities engendered by these Presidential combats have subsided and sober reflection comes back upon the legislators and the statesmen of the land. I believe that Senators on this side are willing to settle that question now. I believe everybody admits and nobody denies that justice delayed is justice denied.

Those discharged troops, if ever to be reinstated, ought to be reinstated now, so that they can enjoy the fruit of their service and the country can enjoy the protection which that service affords. But the spirit which dominates the statesmanship of this body has ordained it otherwise.

Mr. President, I do not know, and I have not yet decided, whether a resolution to exempt the railroads of this country from obeying the law ought to be acted upon by Congress or by a commission; whether it ought to be determined before or after a Presidential election, I do not know. I do not think that the settlement of that question would have any reference to campaign funds. But there was seriously considered here for several days the question of remitting the penalty imposed by the interstate-commerce law enacted two years ago, prohibiting railroads from engaging in mining, in manufacturing, and in other branches of industry in this country.

The two mothers of trusts and monopolies are the tariff duties on the one hand, which protect the trusts against foreign competition, and freight-rate discrimination, which protects the trust against domestic competition on the other hand. What is a monopoly? An exemption from competition, either in whole or in part. By tariff duties and freight-rate discrimination trusts and monopolies of this country have been exempted from competition, both foreign and domestic. And we seriously considered the proposition to release the railroad companies of the country from obedience to the law. The resolution was laid aside, mysteriously to me and for what reasons I know not. Some one suggested—and I resented the suggestion—that the Supreme Court might decide that the time appointed for the disposition of these properties was so brief under the law as enacted that it would be tantamount to confiscation. Shame upon the age and upon the principle and upon him who would breathe that foul suggestion in the ears of any patriotic man!

But, sir, the futility of that resolution finally broke in upon the majority members of this body, because it has been alleged, in a letter from Mr. Glasgow to the President, and never denied, that the Department of Justice had authorized the statement that the Attorney-General would institute proceedings to test the constitutionality of that law; that the railroads were expected to be obliging enough to cooperate in order to get an early decision, and that if they did and were good and cooperated in good faith and continued to be good and obeyed the decree of the court, the penalty would not be enforced for the violation of the law prior to the decision of the Supreme Court.

I introduced a resolution here inquiring whether or not it was customary for the Attorney-General of the United States to institute proceedings to test the constitutionality of an act passed by Congress. When did the Attorney-General become the challenger rather than the champion of the law? When did he cease to indulge every presumption in favor of the constitutionality of a Congressional enactment, and when did he become a pioneer to try out and test the constitutionality of such a question? When did the Executive of this Government, whose constitutional oath is to see that the laws are faithfully executed—and, as I understand, that is the only use and only function of the Executive—abandon that function and suspend the enforcement of statutes of the United States?

An English king was driven from his throne for suspending the operations of the penal statute, and yet, sir, in a Government of law, where the highest corporation and the humblest citizen are equally amenable to the laws of the land, we see those mighty corporations, engaged in mining, engaged in manufacturing, and engaged in the maintenance of trusts and monopolies, and allowed to violate the laws of the land with impunity, under the express permission of one official of the Government whose sworn duty it is to see that the laws are faithfully executed.

If the railroads cooperate in good faith in an early decision, and if they stay on the reservation and be obedient to the decision of the court when it is rendered—and, Mr. President, if they are not obedient, then what? What reason have we to expect that the railroads will be more obedient to the mandate of the court than to the sovereign command of this Congress? And if they are not obedient to the mandates of the court, what then?

Mr. President, I know nothing of contributions to campaign funds. I noticed a few days ago that there had been some

altercation between high officials of this Government as to whether or not prosecutions should be instituted against a certain railroad in this country, and I send a clipping to the desk to be read. I do not know whether it is parliamentary or not, and if not, I apologize in advance and will retract it, but I send it to the desk for whatever light it may shed upon this question.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

WEIRD TALE OF POLITICS—NEW HAVEN SUIT ATTRIBUTED TO REMARKABLE SPIRIT OF RETALIATION.

NEW YORK, May 28, 1908.

The American prints the following from New Haven, Conn.: "Officials of the New York, New Haven and Hartford Railroad Company, still astounded over the institution last week of a Government suit against them under the Sherman law, are to-day telling a story which they declare explains the unexpected action. The story is that Charles E. Brooker, chairman of the New Haven's finance committee and a member of the Republican national committee, voted at Chicago on May 16 against Roosevelt's choice for temporary chairman of the coming national convention, Senator J. P. DOLLIVER, of Iowa.

"Roosevelt, in return for this, the story goes, allowed Attorney-General Bonaparte and State Attorney-General French, of Massachusetts, to bring the suit, which they had tried in vain to bring before, getting back at Brooker personally by putting the railroad in trouble. "More than that, the President is said to have admitted doing so. According to the story, when President Mellen hurried to Washington and asked him what the meaning of the unexpected action was, he answered:

"Just this: If you can not control Brooker, I can not control the Attorney-General."

Mr. GORE. Mr. President, I do not know whether that is true or false. I have never been initiated into the mysteries of Republican politics, and I am not a candidate for initiation into those mysteries. [Laughter.] But I do know that the gentleman just named would not have been the first to receive the protection of those high in authority had he been friendly to those in authority. This country has been regaled with the singular spectacle of a man sitting upon the foot of the throne, a member of a high official family, and a commission appointed by the Government to investigate certain unlawful transactions of a certain railroad, and that commission reporting in favor of prosecution, and the guilty party shielded from such prosecution, and upon the flimsy pretext that there was no evidence showing the official had guilty knowledge of the criminal or lawless transactions.

I have already inserted in the CONGRESSIONAL RECORD an extract from the testimony of that official, given before the Interstate Commerce Commission, in which he testified he was in charge of the traffic department of the Santa Fe Railroad; that the railroad had been granting rebates; that they were granted by his department; that the payments were superintended by him, and that all of the transactions aggregated during the year then ending between a half million and a million dollars. If that were not sufficient evidence that he had guilty knowledge that some irregularities were going on, I know not the source of impeachment unless it be the gentleman's sworn confession itself.

We have here, which I have already alluded to, the fact that all the railroads engaged in mining and in other lines of industry have been granted immunity from prosecution pending certain judicial decisions. One of those railroads, the Reading, owns 63 per cent of the anthracite coal deposits and has a practical monopoly of the coal industry. Mr. President, I have learned and learned well that bread-and-butter bills can be enacted, either by Congress or by commissions and either before or after a Presidential election. They always have the right of way; extravagance and prodigality have all seasons for their own. We have appropriated more than a billion dollars of the people's money, more than \$3,000,000 a day—nearly as much as it required to maintain our armies on the embattled field during the terrific war of the sixties.

But I shall not pursue this question further. I wish to say, sir, that I must beg pardon of the Senate for the rambling and desultory character of my remarks. I had, as I have already observed, intended to adhere to the traditions of the Senate.

I had no purpose of discussing financial legislation or any other legislation to any considerable extent at the present session of Congress. But, sir, when this measure came in two days ago I felt in duty bound to express my opposition, and to register my protest to the enactment of the law and to the methods employed in such enactment.

I have not been able to justify the attention with which the Senate has honored me or to discuss with appropriate observations this grave and important question. I, therefore, crave the pardon and indulgence of the Senate for my remarks on this occasion, and trust that they will ascribe them to an overpowering sense of duty and not to any purpose of shattering the time-honored and venerable traditions of this exalted legislative body. [Manifestation of applause in the galleries.]

I ask unanimous consent to print a tabulated statement in connection with my remarks, and also the message of President Jackson vetoing the recharter of the United States Bank.

The VICE-PRESIDENT. Without objection, permission is granted.

The papers referred to are as follows:

Increase and decrease of deposits in banks from October 19 to October 31, 1907.

	Increase.	Decrease.
Alabama.....	\$97,432.78	
Alaska.....		\$1,965.47
Arizona.....		3,841.33
Arkansas.....	6,273.37	
California.....	452,857.89	
Colorado.....		14,223.51
Connecticut.....	46,269.09	
Delaware.....		93.00
District of Columbia.....		\$9,578.78
Florida.....	49,345.23	
Georgia.....	171,774.56	
Idaho.....		35,222.07
Illinois.....	888,614.00	
Indiana.....	188,137.48	
Indian Territory.....	3,780.13	
Iowa.....	47,170.97	
Kansas.....	143,626.98	
Kentucky.....	213,314.67	
Louisiana.....		1,886.97
Maine.....	3,475.50	
Maryland.....	65,000.00	
Massachusetts.....		309.31
Michigan.....	44,174.82	
Minnesota.....	291,980.34	
Mississippi.....	6,000.00	
Missouri.....	.62	
Montana.....	18,969.78	
Nebraska.....	57,371.69	
Nevada.....	1,466.26	
New Hampshire.....	92.69	
New Jersey.....	63,500.84	
New Mexico.....		5,770.01
New York.....	34,685,913.72	
North Carolina.....		3,691.17
North Dakota.....	Same.	Same.
Ohio.....	651,839.68	
Oklahoma.....		684,680.60
Oregon.....	81,856.27	
Pennsylvania.....	1,273,010.53	
Rhode Island.....	5,978.80	
South Carolina.....		6.54
South Dakota.....	5,697.15	
Tennessee.....	97,222.66	
Texas.....	191,290.04	
Utah.....		10,337.96
Vermont.....		1,848.77
Virginia.....	68,580.18	
Washington.....		169,987.68
West Virginia.....	49,008.92	
Wisconsin.....		15,764.06
Wyoming.....	37,496.99	

ROCKEFELLER GROUP.

National City Bank—Increase of deposits of United States money from October 19 to October 31, 1907.....	\$9,300,000.00
Hanover National Bank—Increase of deposits of United States money from October 19 to October 31, 1907.....	5,416,342.33
Total.....	14,716,342.33

MORGAN GROUP.

First National Bank—Increase of deposits of United States money from October 19 to October 31, 1907.....	\$9,250,000.00
Chase National Bank—Increase of deposits of United States money from October 19 to October 31, 1907.....	3,249,000.00
Total.....	12,499,000.00
Rockefeller group.....	14,716,342.33
Morgan group.....	12,499,000.00
Total.....	27,215,342.33

ANDREW JACKSON.

July 10, 1832.

To the Senate:

The bill "to modify and continue" the act entitled "An act to incorporate the subscribers to the Bank of the United States" was presented to me on the 4th of July instant. Having considered it with that solemn regard to the principles of the Constitution which the day was calculated to inspire and come to the conclusion that it ought not to become a law, I herewith return it to the Senate, in which it originated, with my objections.

A bank of the United States is in many respects convenient for the Government and useful to the people. Entertaining this opinion and deeply impressed with the belief that some of the powers and privileges possessed by the existing bank are unauthorized by the Constitution, subversive of the rights of the States, and dangerous to the liberties of the people, I felt it my duty, at an early period of my Administration, to call the attention of Congress to the practicability of organizing an institution combining all its advantages and obviating these objections. I sincerely regret that, in the act before me, I can perceive none of those modifications of the bank charter which are necessary, in my opinion, to make it compatible with justice, with sound policy, or with the Constitution of our country.

The present corporate body—denominated the president, directors, and company of the Bank of the United States—will have existed at the time this act is intended to take effect twenty years. It enjoys an exclusive privilege of banking under the authority of the General Government, a monopoly of its favor and support, and, as a necessary consequence, almost a monopoly of the foreign and domestic exchange. The powers, privileges, and favors bestowed upon it in the original charter, by increasing the value of stock far above its par value, operated as a gratuity of many millions to the stockholders.

An apology may be found for the failure to guard against this result, in the consideration that the effect of the original act of incorporation could not be certainly foreseen at the time of its passage. The act before me proposes another gratuity to the holders of the same stock, and in many cases to the same men, of at least seven millions more. This donation finds no apology in any uncertainty as to the effect of the act. On all hands it is conceded that its passage will increase at least twenty or thirty per cent. more, the market price of the stock, subject to the payment of the annuity of \$200,000 per year, secured by the act, thus adding in a moment one-fourth of its par value. It is not our own citizens only who are to receive the bounty of our Government. More than eight millions of the stock of this bank are held by foreigners. By this act the American Republic proposes virtually to make them a present of some millions of dollars. For these gratuities to foreigners and to some of our own opulent citizens the act secures no equivalent whatever. They are the certain gains of the present stockholders, under the operation of this act, after making full allowance for the payment of the bonus.

Every monopoly, and all exclusive privileges, are granted at the expense of the public, which ought to receive a fair equivalent. The many millions which this act proposes to bestow on the stockholders of the existing bank must come directly or indirectly out of the earnings of the American people. It is due to them, therefore, if their Government sell monopolies and exclusive privileges, that they should at least exact for them as much as they are worth in open market. The value of the monopoly in this case may be correctly ascertained. The twenty-eight millions of stock would probably be at an advance of 50 per cent and command in market at least \$42,000,000, subject to the payment of the present loans. The present valuation of the monopoly, therefore, is \$17,000,000, and this the act proposes to sell for \$3,000,000, payable in fifteen annual installments of \$200,000.

It is not conceivable how the present stockholders can have any claim to the special favor of the Government. The present corporation has enjoyed its monopoly during the period stipulated in the original contract. If we must have such a corporation, why should not the Government sell out the whole stock, and thus secure to the people the full market value of the privileges granted? Why should not Congress create and sell the twenty-eight millions of stock, incorporating the purchasers with all the powers and privileges secured in this act, and putting the premium upon the sales into the Treasury?

But this act does not permit competition in the purchase of this monopoly. It seems to be predicated on the erroneous idea that the present stockholders have a prescriptive right not only to the favor, but to the bounty of the Government. It appears that more than a fourth part of the stock is held by foreigners, and the residue is held by a few hundred of our citizens, chiefly of the richest class. For their benefit does this act exclude the whole American people from competition in the purchase of this monopoly and dispose of it for many millions less than it is worth. This seems the less excusable because some of our citizens, not now stockholders, petitioned that the door of competition might be opened, and offered to take a charter on terms much more favorable to the Government and country.

But this proposition, although made by men whose aggregate wealth is believed to be equal to all the private stock in the existing bank, has been set aside, and the bounty of our Government is proposed to be again bestowed on the few who have been fortunate enough to secure the stock and at this moment wield the power of the existing institution. I can not perceive the justice or policy of this course. If our Government must sell monopolies, it would seem to be its duty to take nothing less than their full value, and if gratuities must be made once in fifteen or twenty years, let them not be bestowed on the subjects of a foreign government nor upon a designated or favored class of men in our own country. It is but justice and good policy, as far as the nature of the case will admit, to confine our favors to our own fellow-citizens, and let each in his turn enjoy an opportunity to profit by our bounty. In the bearings of the act before me upon these points, I find ample reasons why it should not become a law.

It has been urged as an argument in favor of a rechartering the present bank that calling in its loans will produce great embarrassment and distress. The time allowed to close its concerns is ample; and if it has been well managed, its pressure will be light, and heavy only in case its management has been bad. If, therefore, it shall produce distress, the fault will be its own, and it would furnish a reason against renewing a power which has been so obviously abused. But will there ever be a time when this reason will be less powerful? To acknowledge its force is to admit that the bank ought to be perpetual, and as a consequence the present stockholders, and those inheriting their rights as successors, be established a privileged order, clothed both with great political power and enjoying immense pecuniary advantages from their connection with the Government.

The modifications of the existing charter proposed by this act are not such, in my view, as make it consistent with the rights of the States or the liberties of the people. The qualification of the right of the bank to hold real estate, the limitation of its power to establish branches, and the power reserved to Congress to forbid the circulation of small notes are restrictions comparatively of little value or importance. All the objectionable principles of the existing corporation and most of its odious features are retained without alleviation.

The fourth section provides "that the notes or bills of the said corporation, although the same be on the faces thereof respectively made payable at one place only, shall, nevertheless, be received by the said corporation at the bank, or at any of the offices of discount and deposit thereof, if tendered in liquidation of payment of any balance or balances due to said corporation, or to such office of discount and deposit, from any other incorporated bank."

This provision secures to the State banks a legal privilege in the Bank of the United States which is withheld from all private citizens. If a State bank in Philadelphia owe the Bank of the United States, and have notes issued by the St. Louis branch, it can pay the debt with those notes; but if a merchant, mechanic, or other private citizen be in like circumstance, he can not, by law, pay his debt with those notes, but must sell them at a discount or send them to St. Louis to be cashed. This boon conceded to the State banks, though not unjust in itself, is most odious, because it does not measure out equal justice to the high and the low, the rich and the poor. To the extent of its prac-

tical effect it is a bond of union among the banking establishments of the nation, erecting them into an interest separate from that of the people; and its necessary tendency is to unite the Bank of the United States and the State banks in any measure which may be thought conducive to their common interest.

The ninth section of the act recognizes principles of worse tendency than any provision of the present charter.

It enacts that "the cashier of the bank shall annually report to the Secretary of the Treasury the names of all stockholders who are not resident citizens of the United States; and, on the application of the treasurer of any State, shall make out, and transmit to such treasurer, a list of stockholders residing in, or citizens of, such State, with the amount owned by each."

Although this provision, taken in connection with a decision of the Supreme Court, surrenders, by its silence, the right of the States to tax the banking institutions created by this corporation, under the name of branches, throughout the Union, it is evidently intended to be construed as a concession of their right to tax that portion of the stock which may be held by their own citizens and residents. In this light, if the act becomes a law, it will be understood by the States, who will probably proceed to levy a tax equal to that paid upon the stock of banks incorporated by themselves. In some States that tax is now 1 per cent, either on the capital or on the shares; and that may be assumed as the amount which all citizens or resident stockholders would be taxed under the operation of this act. As it is only the stock held in the States, and not that employed within them, which would be subject to taxation, and as the names of foreign stockholders are not to be reported to the treasurers of the States, it is obvious that the stock held by them will be exempt from this burden. Their annual profits will, therefore, be increased 1 per cent more than the citizen stockholders; and as the annual dividends of the bank may be safely estimated at 7 per cent, the stock will be worth 10 or 15 per cent more to foreigners than to citizens of the United States. To appreciate the effect which this state of things will produce we must take a brief review of the operations and present condition of the Bank of the United States.

By documents submitted to Congress at the present session, it appears that on the 1st of January, 1832, of the \$28,000,000 of private stock in the corporation, \$8,405,500 were held by foreigners, mostly of Great Britain. The amount of stock held in the nine Western States is \$140,200, and in the four Southern States is \$5,623,100, and in the Eastern and Middle States about \$13,522,000. The profits of the bank in 1831, as shown in a statement to Congress, were about \$3,455,598. Of this there accrued in the nine Western States about \$1,640,048, in the four Southern States about \$352,507, and in the Middle and Eastern States about \$1,463,041. As little stock is held in the West, it is obvious that the debt of the people in that section to the bank is principally a debt to the Eastern and foreign stockholders, that the interest they pay upon it is carried into the Eastern States and into Europe, and that it is a burden upon their industry and a drain of their currency which no country can bear without inconvenience and occasional distress. To meet this burden and equalize the exchange operations of the bank the amount of specie drawn from those States through its branches within the last two years, as shown by its official report, was about \$8,000,000. More than half a million of this amount does not stop in the Eastern States, but passes on to Europe to pay the dividends to the foreign stockholders. In the principle of taxation recognized by this act the Western States had no adequate compensation for this perpetual burden on their industry and drain upon their currency. The branch bank at Mobile made the last year \$95,140, yet under the provisions of this act the State of Alabama can raise no revenue from these profitable operations, because not a share of the stock is held by any of her citizens. Mississippi and Missouri are in the same condition in relation to the branches at Natchez and St. Louis, and such, in a greater or less degree, is the condition of every Western State. The tendency of the plan of taxation which this act proposes will be to place the whole United States in the same relation to foreign countries which the Western States bear to the Eastern. When by a tax on resident stockholders the stock of this bank is made worth 10 or 15 per cent more to foreigners than to residents, most of it will inevitably leave the country.

Thus will this provision, in its practical effect, deprive the Eastern as well as the Southern and Western States of the means of raising a revenue from the extension of business and the great profits of this institution. It will make the American people debtors to aliens in nearly the whole amount due to this bank and send across the Atlantic from two to five millions of specie every year to pay the bank dividends.

In another of its bearings this provision is fraught with danger. Of the twenty-five directors of this bank, five are chosen by the Government and twenty by the citizen stockholders. From all voice in these elections the foreign stockholders are excluded by the charter. In proportion, therefore, as the stock is transferred to foreign holders the extent of suffrage in the choice of directors is curtailed. Already is almost a third of the stock in foreign hands and not represented in elections. It is constantly passing out of the country, and this act will accelerate its departure. The entire control of the institution would necessarily fall into the hands of a few citizen stockholders, and the ease with which the object would be accomplished would be a temptation to designing men to secure that control in their own hands by monopolizing the remaining stock. There is danger that a president and directors would then be able to elect themselves from year to year, and, without responsibility or control, manage the whole concerns of the bank during the existence of the charter. It is easy to conceive that great evils to our country and its institutions might flow from such a concentration of power in the hands of a few men irresponsible to the people.

Is there no danger to our liberty and independence in a bank that in its nature has so little to bind it to our country? The president of the bank has told us that most of the State banks exist by its forbearance. Should its influence become concentrated, as it may under the operation of such an act as this, in the hands of a self-elected directory whose interests are identified with those of the foreign stockholders, will there not be cause to tremble for the purity of our elections in peace and for the independence of our country in war? Their power would be great whenever they might choose to exert it, but if this monopoly were regularly renewed every fifteen or twenty years on terms proposed by themselves, they might seldom in peace put forth their strength to influence elections or control the affairs of the nation; but if any private citizen or public functionary should interpose to curtail its powers or prevent a renewal of its privileges, it can not be doubted that he would be made to feel its influence.

Should the stock of the bank principally pass into the hands of the subjects of a foreign country and we should unfortunately become in-

involved in a war with that country, what would be our condition? Of the course which would be pursued by a bank almost wholly owned by the subjects of a foreign power and managed by those whose interests, if not affections, would run in the same direction there can be no doubt. All its operations within would be in aid of the hostile fleets and armies without. Controlling our currency, receiving our public moneys, and holding thousands of our citizens in dependence, it would be more formidable and dangerous than the naval and military power of the enemy.

If we must have a bank with private stockholders, every consideration of sound policy and every impulse of American feeling admonishes that it should be purely American. Its stockholders should be composed exclusively of our own citizens, who at least ought to be friendly to our Government and willing to support it in times of difficulty and danger. So abundant is domestic capital that competition in subscribing for the stock of local banks has recently led almost to riots. To a bank exclusively of American stockholders, possessing the powers and privileges granted by this act, subscriptions for two hundred millions of dollars could be readily obtained. Instead of sending abroad the stock of the bank in which the Government must deposit its funds and on which it must rely to sustain its credit in times of emergency, it would rather seem to be expedient to prohibit its sale to aliens under penalty of absolute forfeiture.

It is maintained by the advocates of the bank that its constitutionality in all its features ought to be considered as settled by precedent and by the decision of the Supreme Court. To this conclusion I can not assent. Mere precedent is a dangerous source of authority, and should not be regarded as deciding questions of constitutional power, except where the acquiescence of the people and the States can be considered as well settled. So far from this being the case on this subject, an argument against the bank might be based on precedent. One Congress, in 1791, decided in favor of a bank; another, in 1811, decided against it. One Congress, in 1815, decided against a bank; another, in 1816, decided in its favor. Prior to the present Congress, therefore, the precedents drawn from that source were equal. If we resort to the States, the expressions of legislative, judicial, and executive opinions against the bank have been, probably, to those in its favor, as four to one. There is nothing in precedent therefore which, if its authority were admitted, ought to weigh in favor of the act before me.

If the opinion of the Supreme Court covered the whole ground of this act, it ought not to control the coordinate authorities of this Government. The Congress, the Executive, and the Court must each for itself be guided by its own opinion of the Constitution. Each public officer who takes an oath to support the Constitution swears that he will support it as he understands it and not as it is understood by others. It is as much the duty of the House of Representatives, of the Senate, and of the President to decide upon the constitutionality of any bill or resolution which may be presented to them for passage or approval as it is of the supreme judges when it may be brought before them for judicial decision. The opinion of the judges has no more authority over Congress than the opinion of Congress has over the judges, and on that point the President is independent of both. The authority of the Supreme Court must not, therefore, be permitted to control the Congress or the Executive when acting in their legislative capacities, but to have only such influence as the force of their reasoning may deserve.

But in the case relied upon the Supreme Court have not decided that all the features of this corporation are compatible with the Constitution. It is true that the court have said that the law incorporating the bank is a constitutional exercise of power by Congress, but taking into view the whole opinion of the court, and the reasoning by which they have come to that conclusion, I understand them to have decided that, inasmuch as a bank is an appropriate means for carrying into effect the enumerated powers of the General Government, therefore the law incorporating it is in accordance with that provision of the Constitution which declares that Congress shall have power "to make all laws which shall be necessary and proper for carrying those powers into execution." Having satisfied themselves that the word "necessary" in the Constitution means "needful," "requisite," "essential," "conducive to," and that "a bank" is a convenient, a useful, and essential instrument in the prosecution of the Government's "fiscal operations," they conclude that to "use one must be within the discretion of Congress," and that "the act to incorporate the Bank of the United States is a law made in pursuance of the Constitution." "But," say they, "where the law is not prohibited, and is really calculated to effect any of the objects entrusted to the Government, to undertake here to inquire into the degree of its necessity would be to pass the line which circumscribes the judicial department and to tread on legislative ground."

The principle here affirmed is that the "degree of its necessity," involving all the details of a banking institution, is a question exclusively for legislative consideration. A bank is constitutional, but it is the province of the legislature to determine whether this or that particular power, privilege, or exemption is "necessary and proper" to enable the bank to discharge its duties to the Government, and from their decision there is no appeal to the courts of justice. Under the decision of the Supreme Court therefore it is the exclusive province of Congress and the President to decide whether the particular features of this act are "necessary and proper" in order to enable the bank to perform, conveniently and efficiently, the public duties assigned to it as a fiscal agent, and therefore constitutional, or unnecessary and improper, and therefore unconstitutional.

Without commenting on the general principle affirmed by the Supreme Court let us examine the details of this act in accordance with the rule of legislative action which they have laid down. It will be found that many of the powers and privileges conferred on it can not be supposed necessary for the purpose for which it is proposed to be created, and are not therefore means necessary to attain the end in view and consequently not justified by the Constitution.

The original act of incorporation, section 21, enacts "that no other bank shall be established by any future law of the United States during the continuance of the corporation hereby created, for which the faith of the United States is hereby pledged: Provided, Congress may renew existing charters for banks within the District of Columbia, not increasing the capital thereof, and may also establish any other bank or banks in said district, with capitals not exceeding in the whole \$6,000,000, if they shall deem it expedient." This provision is continued in force by the act before me fifteen years from the 3d day of March, 1836.

If Congress possesses the power to establish one bank they had power to establish more than one if in their opinion two or more banks had been "necessary" to facilitate the execution of the powers delegated to them by the Constitution. If they possessed the power to establish a

second bank it was a power derived from the Constitution to be exercised from time to time and at any time when the interests of the country or the emergencies of the Government might make it expedient. It was possessed by one Congress as well as another, and by all Congresses alike, and alike at every session, but the Congress of 1816 have taken it away from their successors for twenty years and the Congress of 1832 proposes to abolish it for fifteen years more. It can not be "necessary" or "proper" for Congress to barter away or divest themselves of any of the powers vested in them by the Constitution to be exercised for the public good. It is not "necessary" to the efficiency of the bank nor is it "proper" in relation to themselves and their successors. They may properly use the discretion vested in them, but they may not limit the discretion of their successors. This restriction on themselves and grant of a monopoly to the bank is therefore unconstitutional.

In another point of view this provision is a palpable attempt to amend the Constitution by an act of legislation. The Constitution declares that "the Congress shall have power" to exercise exclusive legislation in all cases whatsoever over the District of Columbia. Its constitutional power, therefore, to establish banks in the District of Columbia and increase their capital at will is unlimited and uncontrollable by any other power than that which gave authority to the Constitution. Yet this act declares that Congress shall not increase the capital of existing banks nor create other banks with capitals exceeding in the whole \$6,000,000. The Constitution declares that Congress shall have power to exercise exclusive legislation over this District "in all cases whatsoever," and this act declares they shall not. Which is the supreme law of the land? This provision can not be "necessary" or "proper" or "constitutional" unless the absurdity be admitted that whenever it be "necessary and proper" in the opinion of Congress they have a right to barter away one portion of the powers vested in them by the Constitution as a means of executing the rest.

On two subjects only does the Constitution recognize in Congress the power to grant exclusive privileges or monopolies. It declares that "Congress shall have power to promote the progress of science and useful arts, by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries." Out of this express delegation of power have grown our laws of patents and copyrights. As the Constitution expressly delegates to Congress the power to grant exclusive privileges in these cases, as the means of executing the substantive power "to promote the progress of science and useful arts," it is consistent with the fair rules of construction to conclude that such a power was not intended to be granted as a means of accomplishing any other end. On every other subject which comes within the scope of Congressional power, there is an ever-living discretion in the use of proper means, which can not be restricted or abolished without an amendment of the Constitution. Every act of Congress, therefore, which attempts, by grants of monopolies, or sale of exclusive privileges for a limited time, or a time without limit, to restrict or extinguish its own discretion in the choice of means to execute its delegated powers, is equivalent to a legislative amendment of the Constitution, and palpably unconstitutional.

This act authorizes and encourages transfers of its stock to foreigners, and grants them an exemption from all State and national taxation. So far from being "necessary and proper" that the bank should possess this power, to make it a safe and efficient agent of the Government in its fiscal operations, it is calculated to convert the Bank of the United States into a foreign bank, to impoverish our people in time of peace, to disseminate a foreign influence through every section of the Republic, and in war to endanger our independence.

The several States reserved the power at the formation of the Constitution to regulate and control titles and transfers of real property; and most, if not all of them, have laws disqualifying aliens from acquiring or holding lands within their limits. But this act, in disregard of the undoubted right of the States to prescribe such disqualifications, gives to aliens, stockholders in this bank, an interest and title, as members of the corporation, to all the real property it may acquire within any of the States of this Union. This privilege granted to aliens is not "necessary" to enable the bank to perform its public duties, nor in any sense "proper," because it is vitally subversive of the rights of the States.

The Government of the United States have no constitutional power to purchase lands within the States, except "for the erection of forts, magazines, arsenals, dock yards, and other needful buildings," and even for these objects only "by the consent of the legislature of the State in which the same shall be." By making themselves stockholders in the bank and granting to the corporation the power to purchase lands for other purposes, they assume a power not granted in the Constitution and grant to others what they do not themselves possess. It is not necessary to the receiving, safe-keeping, or transmissions of the funds of Government that the bank should possess this power, and it is not proper that Congress should thus enlarge the powers delegated to them in the Constitution.

The old Bank of the United States possessed a capital of only \$11,000,000, which was found fully sufficient to enable it, with dispatch and safety, to perform all the functions required of it by the Government. The capital of the present bank is \$35,000,000, at least twenty-four more than experience has proved to be necessary to enable a bank to perform its public functions. The public debt, which existed during the period of the old bank and on the establishment of the new, has been nearly paid off, and our revenue will soon be reduced. This increase of capital is, therefore, not for public, but for private purposes.

The Government is the only "proper" judge where its agents should reside and keep their offices, because it best knows where their presence will be "necessary." It can not, therefore, be "necessary" or "proper" to authorize the bank to locate branches where it pleases, to perform the public service, without consulting the Government and contrary to its will. The principle laid down by the Supreme Court concedes that Congress can not establish a bank for the purposes of private speculation and gain, but only as a means of executing the delegated powers of the General Government. By the same principle a branch bank can not constitutionally be established for other than public purposes. The power which this act gives to establish two branches in any State, without the injunction or request of the Government and for other than public purposes, is not "necessary" to the due execution of the powers delegated to Congress.

The bonus which is exacted from the bank is a confession, upon the face of the act, that the powers granted by it are greater than are "necessary" to its character as a fiscal agent. The Government does not tax its officers and agents for the privileges of serving it. The bonus of a million and a half required by the original charter, and that of three millions proposed by this act, are not exacted for the privilege of giving "the necessary facilities for transferring the public funds from place to place within the United States or the Territories thereof and for distributing the same in payment of the public creditors without

charging commission or claiming allowance on account of the difference of exchange," as required by the act of incorporation, but for something more beneficial to the stockholders. The original act declares that it (the bonus) is granted "in consideration of the exclusive privileges and benefits conferred by this act upon the said bank," and the act before me declares it to be "in consideration of the exclusive benefits and privileges conferred by this act to the said corporation for fifteen years as aforesaid." It is therefore for the exclusive privileges and benefits conferred for their own use and emolument and not for the advantage of the Government that a bonus is exacted. These surplus powers, for which the bank is required to pay, can not be "necessary" to make it the fiscal agent of the Treasury. If they were, the exaction of a bonus for them would not be "proper."

It is maintained by some that the bank is a means of executing the constitutional power "to coin money and regulate the value thereof." Congress have established a mint to coin money and passed laws to regulate the value thereof. The money so coined, with its value so regulated, and such foreign coins as Congress may adopt, are the only currency known to the Constitution. But if they have other power to regulate the currency, it was conferred to be exercised by themselves and not to be transferred to a corporation. If the bank be established for that purpose, with a charter unalterable without its consent, Congress have parted with their power for a term of years, during which the Constitution is a dead letter. It is neither necessary nor proper to transfer its legislative power to such a bank, and therefore unconstitutional.

By its silence, considered in connection with the decision of the Supreme Court, in the case of *McCulloch* against the State of Maryland, this act takes from the States the power to tax a portion of the banking business carried on within their limits, in subversion of one of the strongest barriers which secured them against Federal encroachments. Banking, like farming, manufacturing, or any other occupation or profession, is a business, the right to follow which is not originally derived from the laws. Every citizen and every company of citizens in all our States possessed the right until the State legislatures deemed it good policy to prohibit private banking by law. If the prohibitory State laws were now repealed, every citizen would again possess the right.

The State banks are a qualified restoration of the right which has been taken away by the laws against banking, guarded by such provisions and limitations as, in the opinion of the State legislatures, the public interest requires. These corporations, unless there be an exemption in their charter, are, like private bankers and banking companies, subject to State taxation. The manner in which these taxes shall be laid depends wholly upon legislative discretion. It may be upon the bank, upon the stock, upon the profits, or in any other mode which the sovereign power shall will.

Upon the formation of the Constitution, the States guarded their taxing power with peculiar jealousy. They surrendered it only as it regards imports and exports. In relation to every other object within their jurisdiction, whether persons, property, business, or professions, it was secured in as ample a manner as it was before possessed. All persons, though United States officers, are liable to a poll tax by the States within which they reside; the lands of the United States are liable to the usual land tax, except in the new States, from whom agreements that they will not tax unsold lands are exacted when they are admitted into the Union; horses, wagons, any beasts, or vehicles, tools, or property belonging to private citizens, though employed in the service of the United States, are subject to State taxation. Every private business, whether carried on by an officer of the General Government or not, whether it be mixed with public concerns or not, even if it be carried on by the Government of the United States itself, separately or in partnership, falls within the scope of the taxing power of the State. Nothing comes more fully within it than banks and the business of banking, by whomsoever instituted and carried on. Over this whole subject-matter it is just as absolute, unlimited, and uncontrollable as if the Constitution had never been adopted, because in the formation of that instrument it was reserved without qualification.

The principle is conceded that the State can not rightfully tax the operations of the General Government. They can not tax the money of the Government deposited in the State banks, nor the agency of those banks in remitting it; but will any man maintain that their mere selection to perform this public service for the General Government would exempt the State banks and their ordinary business from State taxation? Had the United States, instead of establishing a bank at Philadelphia, employed a private banker to keep and transmit their funds, would it have deprived Pennsylvania of the right to tax his bank and his usual banking operations? It will not be pretended. Upon what principle, then, are the banking establishments of the Bank of the United States, and their usual banking operations, to be exempted from taxation? It is not their public agency, or the deposits of the Government, which the States claim a right to tax, but their banks and their banking powers, instituted and exercised within State jurisdiction for their private emolument—those powers and privileges for which they pay a bonus, and which the States tax in their own banks. The exercise of these powers within a State, no matter by whom or under what authority, whether by private citizens in their original right, by corporate bodies created by the States, by foreigners, or the agents of foreign governments located within their limits, forms a legitimate object of State taxation. From this and like sources, from the persons, property, and business that are found residing, located, or carried on under their jurisdiction, must the States, since the surrender of their right to raise a revenue from imports and exports, draw all the money necessary for the support of their governments and the maintenance of their independence. There is no more appropriate subject of taxation than banks, banking, and bank stocks, and none to which the States ought more pertinaciously to cling.

It can not be necessary to the character of the bank, as a fiscal agent of the Government, that its private business should be exempted from that taxation to which all the State banks are liable. Nor can I conceive it "proper" that the substantive and most essential powers reserved by the States shall be thus attacked and annihilated as a means of executing the powers delegated to the General Government. It may be safely assumed that none of those sages who had an agency in forming or adopting our Constitution ever imagined that any portion of the taxing power of the States, not prohibited to them, nor delegated to Congress, was to be swept away and annihilated as a means of executing certain powers delegated to Congress.

If our power over means is so absolute that the Supreme Court will not call in question the constitutionality of an act of Congress, the subject of which "is not prohibited, and is really calculated to effect any of the objects entrusted to the Government," although, as in the case before me, it takes away powers expressly granted to Congress, and rights scrupulously reserved to the States, it becomes us to proceed in

our legislation with the utmost caution. Though not directly, our own powers, and the rights of the States, may be indirectly legislated away in the use of means to execute substantive powers. We may not enact that Congress shall not have the power of exclusive legislation over the District of Columbia, but we may pledge the faith of the United States that, as a means of executing other powers, it shall not be exercised for twenty years, or forever. We may not pass an act prohibiting the States to tax the banking business carried on within their limits, but we may, as a means of executing our powers over other objects, place that business in the hands of our agents, and then declare it exempt from State taxation in their hands. Thus may our own powers and the rights of the States, which we can not directly curtail or invade, be frittered away and extinguished in the use of means employed by us to execute other powers.

That a bank of the United States, competent to do all duties which may be required by the Government, might be so organized as not to infringe on our own delegated powers, or the reserved rights of the States, I do not entertain a doubt. Had the Executive been called upon to furnish the project of such an institution, the duty would have been cheerfully performed. In the absence of such a call it is obviously proper that he should confine himself to pointing out those prominent features in the act presented which, in his opinion, make it incompatible with the Constitution and sound policy. A general discussion will now take place, eliciting new light and settling important principles; and a new Congress, elected in the midst of such discussion and furnishing an equal representation of the people according to the last census, will bear to the Capitol the verdict of public opinion, and, I doubt not, bring this important question to a satisfactory result.

Under such circumstances the bank comes forward and asks for the renewal of its charter for a term of fifteen years, upon conditions which not only operate as a gratuity to the stockholders of many millions of dollars, but will sanction abuses and legalize any encroachments.

Suspensions are entertained, and charges are made, of gross abuses of violation of its charter. An investigation unwillingly conceded, and so restricted in time as necessarily to make it incomplete and unsatisfactory, discloses enough to excite suspicion and alarm. In the practices of the principal bank, partially unveiled in the absence of important witnesses, and in numerous charges confidently made and as yet wholly uninvestigated, there was enough to induce a majority of the committee of investigation, a committee which was selected from the most able and honorable Members of the House of Representatives, to recommend a suspension of further action upon the bill and a prosecution of the inquiry. As the charter had yet four years to run, and as a renewal now was not necessary to the successful prosecution of its business, it was to have been expected that the bank itself, conscious of its purity and proud of its character, would have withdrawn its application for the present, and demanded the severest scrutiny into all its transactions. In their declining to do so, there seems to be an additional reason why the functionaries of the Government should proceed with less haste and more caution in the renewal of their monopoly.

The bank is professedly established as an agent of the executive branches of the Government, and its constitutionality is maintained on that ground. Neither upon the propriety of present action, nor upon the provisions of this act, was the Executive consulted. It has had no opportunity to say that it neither needs nor wants an agent clothed with such powers and favored by such exemptions. There is nothing in its legitimate functions which makes it necessary or proper. Whatever interest or influence, whether public or private, has given birth to this act, it can not be found either in the wishes or necessities of the executive department, by which present action is deemed premature, and the powers conferred upon its agent not only unnecessary but dangerous to the Government and country.

It is to be regretted that the rich and powerful too often bend the acts of Government to their selfish purposes. Distinctions in society will always exist under every just government. Equality of talents, of education, or of wealth can not be produced by human institutions. In the full enjoyment of the gifts of Heaven and the fruits of superior industry, economy, and virtue every man is equally entitled to protection by law. But when the laws undertake to add to these natural and just advantages artificial distinctions—to grant titles, gratuities, and exclusive privileges, to make the rich richer and the potent more powerful—the humble members of society, the farmers, mechanics, and laborers, who have neither the time nor the means of securing like favors to themselves, have a right to complain of the injustice of their Government. There are no necessary evils in government. Its evils exist only in its abuses. If it would confine itself to equal protection and, as Heaven does its rains, shower its favors alike on the high and the low, the rich and the poor, it would be an unqualified blessing. In the act before me there seems to be a wide and unnecessary departure from these just principles.

Nor is our Government to be maintained or our Union preserved by invasions of the rights and powers of the several States. In thus attempting to make our General Government strong we make it weak. Its true strength consists in leaving individuals and States as much as possible to themselves, in making itself felt, not in its power, but in its beneficence—not in its control, but in its protection—not in binding the States more closely to the center, but leaving each to move, unobstructed, in its proper orbit.

Experience should teach us wisdom. Most of the difficulties our Government now encounters, and most of the dangers which impend over our Union, have sprung from an abandonment of the legitimate objects of Government by our national legislation and the adoption of such principles as are embodied in this act. Many of our rich men have not been content with equal protection and equal benefits, but have sought us to make them richer by act of Congress. By attempting to gratify their desires we have, in the results of our legislation, arrayed section against section, interest against interest, and man against man in a fearful commotion which threatens to shake the foundations of our Union. It is time to pause in our career, to review our principles, and, if possible, revive that devoted spirit of patriotism and spirit of compromise which distinguished the sages of the Revolution and the fathers of our Union. If we can not at once, in justice to interests vested under improvident legislation, make our Government what it ought to be, we can, at least, take a stand against all new grants of monopolies and exclusive privileges, against any prostitution of our Government to the advancement of the few at the expense of the many, and in favor of compromise and gradual reform in code of laws and system of political economy.

I have now done my duty to my country. If sustained by my fellow-citizens, I shall be grateful and happy; if not, I shall find in the motives which impel me ample grounds for contentment and peace. In the difficulties which surround us, and the dangers which threaten our institutions, there is cause for neither dismay nor alarm. For relief

and deliverance let us firmly rely on that kind Providence which, I am sure, watches with peculiar care over the destinies of our Republic, and on the intelligence and wisdom of our countrymen. Through His abundant goodness and their patriotic devotion our liberty and Union will be preserved.

ANDREW JACKSON.

The VICE-PRESIDENT. The question is on agreeing to the report of the committee of conference.

Mr. ALDRICH. I ask that the roll be called.

The VICE-PRESIDENT. The Secretary will call the roll.

Mr. HEYBURN. Mr. President—

The Secretary proceeded to call the roll, and Mr. ALDRICH responded to his name.

Mr. HEYBURN. I addressed the Chair before the commencement of the roll call.

Mr. ALDRICH. The roll call can not be suspended.

Mr. HEYBURN. I do not ask that it be suspended. It was started with undue haste. I was addressing the Chair.

Mr. GALLINGER. Let the roll call proceed.

Mr. HEYBURN. Perhaps the Senator will permit me to take the ruling of the Chair upon it.

Mr. GALLINGER. That is not necessary.

Mr. HEYBURN. Let me make myself plain. I rose and addressed the Chair in a distinct voice before the roll call commenced.

The VICE-PRESIDENT. The Chair will be liberal in the interpretation of the rule. The Senator was attempting to address the Chair, and some other Senator attracted his attention. If the Senator from Idaho desires the attention of the Chair, and was endeavoring to get it, the Chair thinks it is but fair to recognize him.

Mr. ALDRICH. That can not be done, under the rule.

The VICE-PRESIDENT. It can not, under the rule, if there is objection.

Mr. HEYBURN. I rise to a question of privilege.

The Secretary resumed the calling of the roll.

Mr. HEYBURN. I think the Secretary had better wait until the Chair determines it.

Mr. ALDRICH. The Chair has no option, under the rule.

The VICE-PRESIDENT. The Chair has no option, under the rule.

Mr. HEYBURN. I rise to a question of privilege. I do not want to be shut out from the RECORD in this way.

Mr. GALLINGER. The rule shuts the Senator out.

Mr. HEYBURN. We will see whether it does.

Mr. ALDRICH. No discussion is in order.

Mr. HEYBURN. I rise to a question of personal privilege.

The VICE-PRESIDENT. The Senator from Idaho rises to a question of privilege. He will state it.

Mr. GALLINGER. I make the point of order that under the rule the roll call can not be interrupted for any purpose.

Mr. HEYBURN. I rose to a question of privilege, and am prepared to state it. Am I to be allowed to state it to the Chair?

The VICE-PRESIDENT. Is there objection?

Mr. GALLINGER. I object.

The VICE-PRESIDENT. Objection is made. The Secretary will call the roll.

The Secretary resumed the calling of the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. Not observing him in the Chamber, I withhold my vote. If he were present, I should vote "yea."

Mr. CLAY (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. LODGE]. I transfer the pair to the junior Senator from Maryland [Mr. SMITH], so that the Senator from Massachusetts will stand paired with the Senator from Maryland, and I will vote. I vote "nay."

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN]. I transfer the pair to the Senator from South Dakota [Mr. KITTREDGE], and will vote. I vote "yea."

Mr. DANIEL (when his name was called). I should vote against the bill, but I have a general pair with the Senator from North Dakota [Mr. HANSBROUGH]. Not being advised how he would vote, and presuming that he would vote with the other side of the Chamber, I refrain from voting.

Mr. DEPEW (when his name was called). I have a general pair with the Senator from Louisiana [Mr. MCENERY]. I transfer that pair to the Senator from Delaware [Mr. RICHARDSON] and vote "yea."

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. TILLMAN], who is detained by illness. I therefore withhold my vote. If he were here, I should vote "yea."

Mr. FRAZIER (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. KITTREDGE]. I transfer that pair to the junior Senator from Virginia [Mr. MARTIN] and vote. I vote "nay."

Mr. FULTON (when his name was called). I have a general pair with the junior Senator from Arkansas [Mr. DAVIS], which I transfer to the junior Senator from Massachusetts [Mr. CRANE] and vote. I vote "yea."

Mr. McLAURIN (when Mr. MONEY's name was called). My colleague [Mr. MONEY] is necessarily detained from the Senate. He has a general pair with the Senator from Wyoming [Mr. WARREN]. If my colleague were present, he would vote "nay."

Mr. NEWLANDS (when his name was called). I inquire if the Senator from South Dakota [Mr. GAMBLE] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. NEWLANDS. I have a general pair with the Senator from South Dakota [Mr. GAMBLE]. If he were present, I should vote "nay," but in his absence I refrain from voting.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from California [Mr. PERKINS], whom I do not see in his seat. As he is not present, I refrain from voting, but will state that if I were at liberty to vote I would vote "nay."

Mr. FLINT. I desire to say that, if my colleague [Mr. PERKINS] were present, he would vote "yea."

Mr. SCOTT (when his name was called). I have a general pair with the senior Senator from Florida [Mr. TALIAFERRO]. I will transfer my pair to the junior Senator from Pennsylvania [Mr. KNOX] and will vote. I vote "yea."

Mr. BURROWS (when the name of Mr. SMITH of Michigan was called). I desire to announce that my colleague [Mr. SMITH] is paired with the Senator from Arkansas [Mr. CLARKE].

Mr. BACON (when Mr. TALIAFERRO's name was called). The pair of the Senator from Florida [Mr. TALIAFERRO] has already been announced by the Senator from West Virginia [Mr. SCOTT], the pair having been transferred from himself to the Senator from Pennsylvania [Mr. KNOX]. I am authorized by the Senator from Florida to say that if he were present he would vote "nay."

Mr. TELLER (when his name was called). I am paired with the senior Senator from Iowa [Mr. ALLISON]. If he were present he would vote "yea" and I should vote "nay."

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. MONEY]. I will transfer my pair to the senior Senator from Pennsylvania [Mr. PENROSE] and vote. I vote "yea."

The roll call was concluded.

Mr. OVERMAN. I will transfer my pair to the senior Senator from Missouri [Mr. STONE] and vote. I vote "nay."

Mr. CLARK of Wyoming. On the transfer of the pair by the Senator from North Carolina [Mr. OVERMAN] I am at liberty to vote. I vote "yea."

Mr. LA FOLLETTE (after having voted in the negative). Mr. President, is it in order to make a parliamentary inquiry? If I should vote in favor of the adoption of the conference report, would it then be in order for me to move for a reconsideration?

Mr. TELLER and others. Regular order!

Mr. GALLINGER and others. No debate is in order.

The VICE-PRESIDENT. The parliamentary inquiry is not in order.

Mr. LA FOLLETTE. It is not in order?

The VICE-PRESIDENT. It is not in order under the rule.

Mr. LA FOLLETTE. Then I will take my chances on it, and ask leave to change my vote from "nay" to "yea" for the purpose of moving a reconsideration.

Mr. GALLINGER, Mr. KEAN, and others. Regular order!

Mr. DANIEL. I am informed by the Senator from Rhode Island [Mr. ALDRICH] that if the Senator from North Dakota [Mr. HANSBROUGH] were here he would vote "nay," and I am therefore at liberty to vote. I vote "nay."

Mr. NEWLANDS. I transfer my pair to the Senator from South Carolina [Mr. TILLMAN] and vote. I vote "nay."

Mr. DILLINGHAM. By the transfer just mentioned by the Senator from Nevada I am released from my pair, and therefore I will vote. I vote "yea."

Mr. NELSON. I desire to say that if the Senator from South Dakota [Mr. KITTREDGE] were here he would vote "yea." He is unavoidably absent.

Mr. STONE. I desire to vote "nay."

Mr. OVERMAN (after having voted in the negative). I withdraw my vote, the Senator from Missouri having voted. I stand paired with the senior Senator from California [Mr. PERKINS]. I would vote "nay" if I were not paired.

The result was announced—yeas 43, nays 22, as follows:

YEAS—43.

Aldrich	Clark, Wyo.	Fulton	Piles
Ankeny	Cullom	Gallinger	Platt
Beveridge	Curtis	Guggenheim	Scott
Brandegee	Depew	Hale	Smoot
Briggs	Dick	Hemenway	Stephenson
Bulkeley	Dillingham	Hopkins	Stewart
Burkett	Dixon	Kean	Sutherland
Burnham	du Pont	La Follette	Warner
Burrows	Elkins	Long	Warren
Carter	Flint	Nelson	Wetmore
Clapp	Foraker	Nixon	

NAYS—22.

Bacon	Clay	Heyburn	Paynter
Bailey	Culberson	Johnston	Simmons
Bankhead	Daniel	McLaurin	Stone
Borah	Frazier	Milton	Taylor
Bourne	Gary	Newlands	
Brown	Gore	Owen	

NOT VOTING—27.

Allison	Gamble	McEnery	Richardson
Clarke, Ark.	Hansbrough	Martin	Smith, Md.
Crane	Kittredge	Money	Smith, Mich.
Davis	Knox	Overman	Taliaferro
Dolliver	Lodge	Penrose	Teller
Foster	McCreary	Perkins	Tillman
Frye	McCumber	Rayner	

So the conference report was agreed to.

Mr. ALDRICH. I move to reconsider the vote by which the conference report was adopted.

Mr. LA FOLLETTE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Wisconsin?

Mr. ALDRICH. I do not.

Mr. LA FOLLETTE. I make a point of order.

Mr. HALE. I move to lay the motion to reconsider on the table.

Mr. LA FOLLETTE. I rise to a point of order.

Mr. ALDRICH. I do not yield.

Mr. LA FOLLETTE. I rise to a point of order. It does not require any Senator to yield when a point of order is raised.

The VICE-PRESIDENT. The Senator from Wisconsin rises to a point of order. He will state his point of order.

Mr. LA FOLLETTE. It is this: That when the Senator from Rhode Island addressed the Senate he was not in his place at his seat and was not entitled to recognition. I was in my place and in my seat at my desk when I addressed the Chair and asked for recognition. I submit that under the rule, two Senators addressing the Chair at the same time, one of them being in order and the other out of order, I was entitled to recognition.

The VICE-PRESIDENT. The Chair is of opinion that the Senator from Rhode Island was in order.

Mr. FORAKER. Mr. President—

Mr. ALDRICH. I yield to the Senator from Ohio.

Mr. FORAKER. I move to lay the motion to reconsider on the table.

Mr. LA FOLLETTE. Mr. President, I must appeal from the decision of the Chair.

Mr. HALE. I move to lay that appeal on the table.

The VICE-PRESIDENT. The Senator from Maine moves to lay the appeal of the Senator from Wisconsin from the decision of the Chair upon the table.

Mr. LA FOLLETTE. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

[Applause in the galleries.]

The VICE-PRESIDENT. The Chair must admonish the occupants of the galleries that applause is not permitted under the rules of the Senate. The Secretary will call the roll on the motion of the Senator from Maine to lay the appeal from the decision of the Chair upon the table.

The Secretary proceeded to call the roll.

Mr. CLAY (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. LODGE]. Were he present I should vote "yea."

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN], but my pair has been transferred to the Senator from South Dakota [Mr. KITTREDGE], and I vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from California [Mr. PERKINS], and therefore I withhold my vote.

Mr. SCOTT (when his name was called). I make the same announcement and the same transfer of my pair to the junior Senator from Pennsylvania [Mr. KNOX]. I vote "yea."

Mr. TELLER (when his name was called). I was paired on the general vote on this question. I reserved the right to vote when I thought proper. I will therefore vote. I vote "yea."

The roll call was concluded.

Mr. McLAURIN (after having voted in the negative). I desire to withdraw my vote.

The result was announced—yeas 53, nays 9, as follows:

YEAS—53.

Aldrich	Clark, Wyo.	Gary	Platt
Ankeny	Cullom	Guggenheim	Scott
Bacon	Curtis	Hale	Simmons
Bailey	Daniel	Hemenway	Smoot
Beveridge	Depew	Heyburn	Stephenson
Borah	Dick	Hopkins	Stewart
Brandegee	Dillingham	Johnston	Sutherland
Briggs	Dixon	Kean	Teller
Bulkeley	du Pont	Long	Warner
Burkett	Elkins	Nelson	Warren
Burnham	Flint	Nixon	Wetmore
Burrows	Foraker	Owen	
Carter	Fulton	Paynter	
Clapp	Gallinger	Piles	

NAYS—9.

Brown	Gore	Milton	Stone
Culberson	La Follette	Newlands	Taylor
Frazier			

NOT VOTING—30.

Allison	Foster	McCumber	Rayner
Bankhead	Frye	McEnery	Richardson
Bourne	Gamble	McLaurin	Smith, Md.
Clarke, Ark.	Hansbrough	Martin	Smith, Mich.
Clay	Kittredge	Money	Taliaferro
Crane	Knox	Overman	Tillman
Davis	Lodge	Penrose	
Dolliver	McCreary	Perkins	

So Mr. LA FOLLETTE's appeal from the decision of the Chair was laid on the table.

Mr. FORAKER. I renew my motion to lay on the table the motion to reconsider, and I call for the yeas and nays.

The VICE-PRESIDENT. The Senator from Ohio moves to lay upon the table the motion to reconsider the vote by which the conference report was agreed to, and upon that motion he demands the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLAY (when his name was called). I again announce my pair with the senior Senator from Massachusetts [Mr. LODGE].

Mr. CULLOM (when his name was called). I announce my general pair with the junior Senator from Virginia [Mr. MARTIN] and the transfer of my pair to the Senator from South Dakota [Mr. KITTREDGE]. I vote "yea."

Mr. FRAZIER (when his name was called). I again announce my pair with the junior Senator from South Dakota [Mr. KITTREDGE] and the transfer of my pair to the junior Senator from Virginia [Mr. MARTIN], and I will vote. I vote "nay."

Mr. OVERMAN (when his name was called). I again announce my pair with the senior Senator from California [Mr. PERKINS].

Mr. SCOTT (when his name was called). I again announce my pair with the senior Senator from Florida [Mr. TALIAFERRO] and the transfer of my pair to the junior Senator from Pennsylvania [Mr. KNOX]. I vote "yea."

Mr. TELLER (when his name was called). I again announce my pair with the senior Senator from Iowa [Mr. ALLISON]. I know that he would vote "yea" if present. Under the arrangement I made with him I will vote. I vote "yea."

The roll call was concluded.

Mr. BACON. I make the same announcement upon this vote that I made upon the former one in behalf of the Senator from Florida [Mr. TALIAFERRO]—that he is paired, as announced by the Senator from West Virginia [Mr. SCOTT], and that if he were present he would vote "nay."

Mr. LA FOLLETTE. I wish to inquire whether I am recorded on this vote?

The VICE-PRESIDENT. The Senator is not recorded.

Mr. LA FOLLETTE. I should like to have the question stated, so that I may vote understandingly. My attention was diverted for a few moments.

The VICE-PRESIDENT. The Senator from Ohio [Mr. FORAKER] moved to lay upon the table the motion of the Senator from Rhode Island [Mr. ALDRICH] to reconsider the vote by which the conference report was agreed to.

Mr. LA FOLLETTE. On that vote, if my name is called, I will vote "nay."

The result was announced—yeas 45, nays 17, as follows:

YEAS—45.

Aldrich	Clark, Wyo.	Gallinger	Scott
Ankeny	Cullom	Guggenheim	Smoot
Beveridge	Curtis	Hale	Stephenson
Borah	Depew	Hemenway	Stewart
Brandegee	Dick	Heyburn	Sutherland
Briggs	Dillingham	Hopkins	Teller
Bulkeley	Dixon	Kean	Warner
Burkett	du Pont	Long	Warren
Burnham	Elkins	Nelson	Wetmore
Burrows	Flint	Nixon	
Carter	Foraker	Piles	
Clapp	Fulton	Platt	

NAYS—17.

Bacon	Daniel	La Follette	Stone
Bailey	Frazier	McLaurin	Taylor
Bankhead	Gary	Milton	
Brown	Gore	Paynter	
Culberson	Johnston	Simmons	

NOT VOTING—30.

Allison	Frye	McEnery	Rayner
Bourne	Gamble	Martin	Richardson
Clarke, Ark.	Hansbrough	Money	Smith, Md.
Clay	Kittredge	Newlands	Smith, Mich.
Crane	Knox	Owen	Tallaferro
Davis	Lodge	Overman	Tillman
Dolliver	McCreary	Penrose	
Foster	McCumber	Perkins	

So the motion to reconsider was laid on the table.

On motion of Mr. KEAN, it was

Ordered, That the Sergeant-at-Arms be discharged from the further execution of the order of the Senate requesting the presence of absentees.

Mr. HEYBURN. Mr. President, I sought to address myself to the attention of the Senate before the vote was taken. The haste with which the roll call was commenced prevented me from doing so. I do not desire that the vote which I cast against the adoption of this report shall go out unexplained, and when I say "unexplained," I do not mean apologized for.

I have been an active worker in the Republican party for more than thirty-six years, and during that time I have shared the burden of its battles wherever I have been. I do not propose to be held up here or elsewhere as one who ever swerved for one moment in his allegiance to that party. Had I regarded this as a party question, under the control of the organization of the party represented by its caucus, I would have supported the action of the party. But I do not regard myself bound to the party caucus except that I am a participant in the counsels and deliberations of the party.

I had and I have my objections to this bill, which are based not upon party grounds, founded not in opposition to the will of the party, but founded upon my judgment, as to the effect which this legislation, of a purely economic nature, will have upon that part of the country which I in part represent and which, in my judgment, it will have upon every portion of the country.

I objected to measures which were contained in the bill and which were formulated for us for consideration in the Aldrich bill, because I did not believe then and I do not believe now that there is any necessity for financial legislation at this time. That which was termed a panic was a brief nightmare in the business world. It has passed away with the awakening of the dawn of prosperity which we now enjoy. In that part of the United States lying to the west, there is not even a remembrance of the panic except as a tradition. There is no remnant of it or of its effects. I do not believe in taking medicine in anticipation that you may have some disease in the future of which you have no premonitions now.

I have before the country for more than thirty-five years boasted that the wisdom of the Republican party was sufficient to provide and it had provided a safe, sound, and reliable financial policy upon which the business concerns of this country could rest. I shall continue to boast of it, because I do not believe that any provision in this bill is necessary at this hour, and I shall treat it as merely surplusage growing out of the combined fears and the enthusiasm of some of our statesmen. I know that I speak within the sentiments of a majority of the Republicans of the United States in the vote which I cast to-day and in what I am saying.

Mr. President, I am not here to attack the Republican party. All the Senators in this body combined and all the Senators who ever sat in this body are not strong enough to drag it down; their States are not strong enough or potent enough to destroy it; and I say that with no disrespect to any member of this body. But that old party is bigger and greater than all the men who represent it in the legislative halls. In our section of country we have no necessity or occasion whatever for financial legislation. The provisions of this bill do not apply to more than one-third, almost one-half, of the area of the United States. This legislation, by its terms and within its terms, is excluded in its operation from more than one-third of the United States—from nearly one-third of it in one solid block, without a break. The provision for the creation of a national currency association will have no application to seventeen States in the Union, because such associations are limited to States having \$5,000,000 of unimpaired capital and surplus. There are seven States in the Union, and unfortunately they all lie, or nearly all of them lie, in one great area upon the Pacific coast.

Mr. President, I am not willing to give my voice or my vote or my assent to legislation for one-third of the country as against two-thirds of the country, or for two-thirds of the

country as against one-third of the country. I want the laws to be applicable, not only in their principles, but in their terms, in every respect to every part of the country. That we should become a vassal to the financial world of the East is intolerable, and will be intolerable to the people of the great West.

I do not believe in sectional legislation at all, and if there were no other obnoxious provisions in this bill than those, I would have voted against it. But I opposed the Aldrich bill when it was before the Senate for consideration, and I voted against it then, as now, because, in my judgment, there was no necessity for any legislation, and now more emphatically because there has been eliminated from the Aldrich bill every provision relative to the reserves in national banks.

I could elaborate these reasons, but I shall not do so. I have stated enough reasons, and good enough reasons, to account for the vote which I have cast. The casting of that vote does not cast me outside of breastworks of the Republican party. There is no man in this Chamber who has been in the Republican party longer than I have been, for I am older than the Republican party, and I was born into the very atmosphere and patriotism upon which that party was founded and has ever since rested. I have never swerved for an hour in my fealty, my loyalty, and my support to that party, and I intend that it shall not go out to the country that I stood here voting with the Democratic party. I did not cast my vote to-day because of my love for the Democratic party. I respect its members individually; but I know its principles and disapprove of them. With these words my vote can go to the country.

Mr. BACON. Mr. President, some things have occurred while this measure has been under consideration which, possibly, it might be well should not be entirely passed by and acquiesced in as with a recognition of propriety. The opportunity in the heat and ardor of debate was not presented to properly advert to them.

Mr. LA FOLLETTE. Mr. President, I ask that order be maintained in the Senate Chamber, so that we may hear what the Senator from Georgia has to say.

The VICE-PRESIDENT. The Senate will be in order. Audible conversation will cease in the Chamber. The Chair asks Senators to kindly resume their seats.

Mr. BACON. I was endeavoring to state that several things had occurred during the progress of the debate upon this question which I am unwilling should pass by as having met with general recognition, through acquiescence, by the Senate, because of the fact that in the Senate a precedent is a matter of gravity and importance, and occasions may arise hereafter where these questions may be of very much more vital importance than they have been while the pending question has been under discussion.

Of course, Mr. President, I recognize the fact that, in the heat of controversy, Senators, as well as others, will do and say things which will be conducive to the particular end which they then have in view, which, from a more conservative standpoint and under other circumstances, they would neither say nor approve.

One precedent was made last night to which I wish to enter my dissent. That precedent was made by a vote of the Senate. It was to the effect that after a roll call had been had upon the suggestion of the want of a quorum, and after the roll call had disclosed the presence of a quorum, it was out of order, when nothing else had transpired but debate, to again suggest the absence of a quorum and again having a roll call for the purpose of determining whether or not a quorum was present. In other words, the Senate determined, by a vote, that a continuance of debate after a roll call did not amount to the intervention of other business, and that no business having intervened—debate not being recognized as business—regardless of the time which had elapsed, or regardless of the fact that there were, perhaps, only ten Senators present, there could be no suggestion of the absence of a quorum, and that the Senate must proceed with the ascertained fact that there had been a quorum, and without power to inquire whether or not there was then a quorum.

Mr. President, I did not vote upon that question when it was submitted to the Senate for this simple reason: The Senator from Rhode Island [Mr. ALDRICH] had read what he alleged was a precedent in that matter, and had read from the CONGRESSIONAL RECORD a ruling which had been made by the Chair on March 3, 1897, which the Senator from Rhode Island contended established that proposition. It so happened, although the fact was not known, I think, to the Senator from Rhode Island at the time that he cited the precedent, that I was the Senator temporarily occupying the chair on the 3d of March, 1897, who made the ruling which was cited by the Senator from Rhode Island last night. I was unwilling to cast a vote last night which might appear to be in antagonism to that ruling, as there would then be no opportunity for me to show that the vote thus

cast would not have been in contravention of that ruling made by myself when in the chair.

I recollect the incident well out of which the ruling grew. It occurred during a night session, and the then senior Senator from Pennsylvania, Mr. Quay, was the Senator who demanded the roll call upon the suggestion of the lack of a quorum. He had previously demanded several such roll calls. The point had been made between the two previous successive roll calls that no business had intervened and that therefore the second roll call was not in order. The Chair ruled that business had intervened, from the fact that in the interval the bill then under consideration had been reported from the Committee of the Whole to the Senate. Immediately after that roll call, which was then authorized by the decision of the Chair, the Senator from Pennsylvania, without waiting for any debate or any other action on the part of the Senate, immediately again suggested the absence of a quorum. That matter was taken up at once by the then senior Senator from Massachusetts, Mr. Hoar, and by the then Senator from New York, Mr. Hill, and the question was finally reduced to this point—whether or not business had intervened.

The Chair ruled that business had not intervened, and that therefore the second roll call was not in order. There had been no debate after the roll call, and there was no suggestion that debate was not the intervention of business. There was no question raised that the debate following a roll call did not constitute business which had intervened after the roll call. There was no question whether debate did or did not constitute business.

The question last night was whether debate constituted business. There confessedly had been debate last night after the roll call, and the question decided by the Senate last night was that the occurrence of debate did not constitute business.

Mr. President, I deemed it due to myself to state why I did not vote on the question, because I do not avoid any vote that comes along; but I wished to call the attention of the Senate to the fact that the precedent cited last night by the Senator from Rhode Island was not a controlling precedent upon the question raised by him, because in one case there was no question whether debate constituted business, and in the case last night the sole question was whether debate constituted business.

I desired, Mr. President, to say this much, because I was unwilling that what occurred last night should pass as an unchallenged precedent. I regard it as a revolutionary precedent, and, if so considered by the Senate, I am willing for it to pass as one adopted under the heat of contest for the purpose of effecting a particular end; but it will be a most grievous mistake, in my opinion, if that rule should be adopted as the rule or precedent to hereafter govern the action of the Senate. In fact, frequently here, in cases of protracted contests, for days and days there is nothing practically but debate. It is true we have the morning hour, and some measures may be considered; but so far as the main body of the work of the Senate during the whole day is concerned, frequently there is nothing but debate. To say that it having once been disclosed that there is a quorum there can be thereafter no challenge of the question as to whether or not there is a quorum, it seems to me, must be a very grave mistake.

Mr. FORAKER. Mr. President, will the Senator allow me to ask him a question?

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. BACON. With pleasure.

Mr. FORAKER. The question that occurs to me as proper to ask is, If debate merely be the transaction of business, how much debate would there have to be?

Mr. BACON. Mr. President, that question, like a great many other questions, brings back this proposition, that in the Senate, as in every other body, but more particularly in the Senate, matters have to be adjusted upon a conservative and well-ordered determination on the part of Senators to observe the rules of the Senate, not simply in letter, but in spirit. I will say, with the permission of the Senator from Ohio, that, in my judgment, there should be some rule adopted upon that subject, and, so far as I am concerned, I will be very glad to see at the next session this matter taken up and put in such shape that there may be a proper regard for the procedure of the Senate and, at the same time, not an undue restriction of the rights of Senators and of the Senate in regard to this question of a roll call upon the suggestion of the lack of a quorum.

Mr. FORAKER. If the Senator will allow me to interrupt him again, I will do so only to say that I heartily agree with him that this matter should be taken under consideration by the Committee on Rules, and there should be some rule adopted, because if mere debate be a transaction of business no one can sit in judgment as to how much debate there shall be to amount

to a transaction of business, and merely addressing the Chair and uttering one sentence with respect to any subject would be debate, I suppose, and then immediately, within less than a minute, because there has been another transaction of business, another roll call might be granted.

Mr. BACON. I quite agree with the Senator, Mr. President. It only illustrates the idea which I had in my mind, and that is that the liberal rules of the Senate are, of course, liable to abuse; but wherever we find a disposition to abuse the rules of the Senate to an extent which will impair the usefulness of the Senate, of course rules will be made to meet such emergencies.

Now, Mr. President, I am going to ask that, with the permission of the Senate, the entire colloquy—a part of which was read last night by the Senator from Rhode Island, in which the ruling was made to which he alluded—may be inserted in the Record, in order that it may be in consecutive order. I will indicate to the Reporter the point at which it begins and where it ends.

The VICE-PRESIDENT. Without objection, permission is granted.

Mr. CULBERSON. Mr. President, I will state to the Senator from Georgia that the entire colloquy was inserted in the Record last night, at my suggestion, by the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. BACON. Does the Senator know how far back it began? Because I desire it to be in consecutive order with several other motions which had been made by the then Senator from Pennsylvania [Mr. QUAY], prior to the ruling in that particular case. It was with a desire to have the entire colloquy in the Record that I made the suggestion. Where does it begin?

Mr. LA FOLLETTE. I will show the Senator.

Mr. BACON. Now, Mr. President, I am informed by the Senator from Wisconsin that it began on page 2736 and went over to a point on page 2737. I would simply ask, then, that instead of inserting all of it again—I understand it has not yet been published—at the point in the Record where the Senator from Wisconsin made the insertion, it may be corrected to the extent of beginning at the top of page 2735, and, without repeating what he has already inserted, that it may be prefixed to what he has inserted.

Mr. President, if I may have just a word, I want to say this: Of course the debate on this bill is over. The circumstances were such that those of us who desired to be heard or to have a word or two to say about it did not conveniently have the opportunity. I simply desire to say, as a thought called forth by the remarks of the Senator from Idaho [Mr. HEYBURN], that the point in which I differ from him is this:

The Senator from Idaho, if I understood him correctly, said that if he had regarded this bill as a party measure, he would have supported it. I desire to say that I regard this bill as so pernicious a bill that if every Democrat on this side of the Chamber had supported it—which is an unsupportable case—I should have voted against it. I favor emergency-currency legislation as the business interests of the country agree in demanding it. But I do not favor this particular measure. I favor other measures that I think safer and better.

Mr. HEYBURN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Idaho?

Mr. BACON. Yes.

Mr. HEYBURN. The Senator did not hear me clearly. I said that if I regarded a measure as a party measure—I did not point my suggestion to this bill, because I did not care to extend my remarks to that extent, as that would have made it necessary to reconsider this bill, and I was speaking of my general principle of action—

Mr. BACON. I understood, Mr. President, the Senator to be stating why he did not vote for this particular bill, and he went on to say that he did not regard it as a party measure.

Mr. HEYBURN. I did say that.

Mr. BACON. And immediately, in the same connection, as I understood him, he said that a measure which was a party measure would have his support, leaving the indisputable conclusion, to my mind, that if this were a party measure it would have his support.

Mr. HEYBURN. No, Mr. President, I meant that if a party measure comes from a party caucus, I would make my contest in the party caucus, and I would undertake to see, so far as I could, that no measure I did not approve of came out of that party caucus. That is what I meant.

Mr. BACON. Well, Mr. President, I have no dispute or contention with the Senator as to what his relations are to his party. I only used what I understood him to say as a predicate for what I announced as my position.

Mr. ALDRICH. Will the Senator allow me to ask him a question there?

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON. Yes.

Mr. ALDRICH. I suppose the Senator from Georgia, when he uses the term "pernicious" as applied to the currency bill, means from a political standpoint?

Mr. BACON. No; from a business standpoint; and I will state, Mr. President, for the gratification, I may say, of the Senator from Rhode Island, that the pernicious feature of it, or the one which called for that probably extreme adjective on my part, is not the part of the bill for which he was directly responsible; but I do think that to authorize the issue of money, leaving out the fundamental question as to whether or not the banks may be allowed to issue money at all, or whether it should not be confined to the action of the Government—leaving that out and assuming for the purpose of the argument that it would be proper under any circumstances for banks to be delegated the power to issue currency notes, for which the Government should be ultimately responsible—leaving all that out, and assuming that it would be proper, to my mind, it is an extremely obnoxious proposition that currency for which the Government of the United States is to be responsible should be issued upon every class of securities or commercial paper that the Secretary of the Treasury might approve.

I say that is pernicious to the last degree. There is no limitation upon the provision. I will not go over it, however, Mr. President. It has been most eloquently and graphically described to-day by the Senator from Oklahoma [Mr. GORE].

There is but one limitation upon the question as to whether or not the security currency notes will be a sound security or a safe security, and that is the approval of the Secretary of the Treasury. Now, Mr. President, we know the fact—it is a historical fact—that the Secretaries of the Treasury are, as a general rule, transferred from the portfolio of the Treasury to some highly lucrative position in New York, given to them by the favor of Wall street.

Wall street is the locality in which this particular provision of the bill is to be taken advantage of; and here we have the remarkable proposition that with so wide and unlimited a range of securities and commercial paper, subject only to the approval of the Secretary of the Treasury, the man who is to approve the security is the man who, as a general rule, is to look for favors thereafter from those who offer the security and who ask his approval of it. I say, Mr. President, it is a monstrous proposition; it is a pernicious provision, and no sligher word will reach it.

Mr. President, I want to give an illustration. I did not intend to bring this in now. I did intend to do it during the debate; but as it has passed, I merely want to make a little statement here and point to what extent the country can rely upon the discretion of the Secretary of the Treasury when matters are left to his discretion. I want to speak of a most remarkable matter in which the Secretary of the Treasury has exercised his discretion.

I should like to have every Senator present hear what I am about to narrate, not that it is new—because it has been told before—but I want to call it to the attention of all who are here as an illustration of the way in which Secretaries of the Treasury sometimes exercise discretion.

Some eight or ten years ago the Government of the United States determined to sell the custom-house in New York and to build a new custom-house. It has been building a new custom-house, and I believe it is now about completed. It did sell the old custom-house to the National City Bank. I might make some comment upon who some of the officers of the National City Bank are, and some comment on what relation some of them formerly bore to the United States Treasury Department; but I will not say anything about that, as I do not wish to be unduly personal.

The purchase price stated or agreed upon was \$3,265,000. That purchase and sale was effected by an agreement made on the part of the Secretary of the Treasury that no money should be paid by the bank, but that there should be entered upon the books of the National City Bank a credit to the Government for \$3,215,000, and that there should be an indebtedness on the part of the bank to the Government of the United States of \$50,000 in addition to that, making a total price of \$3,265,000; in other words, upon the face, it was a cash transaction of \$3,215,000, with a credit transaction of \$50,000; but the cash was represented simply by a credit entered upon the books of the bank in favor of the Government of the United States. Immediately thereupon, and I doubt not as a part of the same transaction, it was agreed that the Government should become a tenant of the National City Bank, although no deed had passed, no title had passed, no money had passed, and the Government of the United States contracted to pay to, and has

paid to, the National City Bank a rental of \$125,000 or \$130,000 a year for some eight years. In the meantime, the \$50,000 being an indebtedness and no title passing, the title remaining in the Government of the United States, the bank had no taxes to pay in New York by reason of that fact.

Here, Mr. President, is a transaction, sanctioned by a Secretary of the Treasury of the United States; and I will say that it not only had the sanction of the Secretary of the Treasury who made this agreement, but that under more than one Administration it has continued and has had the approval and consent of every Secretary of the Treasury from that day to the present.

Mr. McLAURIN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. BACON. Let me get through with my figures, and I will answer the Senator's question with a great deal of pleasure.

Now, how does that account stand? The old custom-house was sold to the National City Bank, and an indebtedness of \$3,215,000 simply created to the Government of the United States on the books of the bank.

A conservative estimate is that the interest on the \$3,215,000 for eight years or more would amount, in the aggregate, to between one and two million dollars.

But in addition to that they have had a rental from the United States of a hundred and twenty-five or a hundred and thirty thousand dollars for seven or eight years. They have had exemption from taxation for that length of time, amounting to at least a half a million dollars. So without the expenditure of a dollar the National City Bank of New York has received certainly more than a million dollars out of this transaction with the Government of the United States. It is a malodorous transaction. That is not the same thing we have before us, but it illustrates what is the influence of Wall street upon the discretion of the Secretary of the Treasury.

Mr. HALE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Maine?

Mr. BACON. Certainly.

Mr. HALE. I am interested in the Senator's statement, because the Committee on Appropriations had up this matter and went thoroughly into it some years ago. I am bound to say that it disclosed a transaction which did not, I suppose, involve any corruption or wrongdoing, but of which nobody ought to be very proud.

Mr. BACON. And of which everybody connected with it ought to be ashamed. I will add to the Senator's statement, without hesitation—everybody ought to be ashamed of it.

The fact is, as I say, that it is not a transaction of a day or a year. It is not the transaction of one man or one official, but it is the transaction of eight or ten years' continuance and a transaction with a succession of officials.

The Senator from Texas [Mr. BAILEY] has called my attention to a matter which I should state, and that is that it is improper to charge both rent and interest against the gains of the bank. I agree to that. That was a mistake. If interest is chargeable, rent ought not to be chargeable. I withdraw that. But at the very lowest calculation there has been something from a million and a half to two million dollars improperly made out of this transaction with the Treasury under the form of law, in the exercise of discretion by several successive Secretaries of the Treasury.

Therefore when you come to talk about the Secretary of the Treasury being a safeguard to see that no inferior securities are accepted as a basis for the issuance of currency, and that his discretion when exercised will guard the Government, when the unlimited and uncontrolled power is given, I put against it this action to show what can be done under the discretion of the Secretary of the Treasury. I repeat, Mr. President, the startling monstrosity of the provision is found in the fact that the very officer who is to pass upon the question of the sufficiency of the securities is the officer who, judging the future by the past, is to look for rewards and emoluments to the very parties interested in having him approve the securities.

PETITIONS.

Mr. PILES presented a memorial of the Chamber of Commerce of Spokane, Wash., remonstrating against the passage of the so-called "currency bill," which was ordered to lie on the table.

Mr. ANKENY presented petitions of sundry citizens ofavenport, Wash., praying that an appropriation be made for the opening of the upper Columbia River in that State from Wenatchee to Kettle Falls, which were referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Seattle, Wash., praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which was referred to the Committee on the Judiciary.

Mr. TELLER presented petitions of the Chamber of Commerce and sundry citizens and business firms of Denver, Colo., praying for the enactment of legislation to provide for an increased coinage of silver and for the remonetization of silver upon a fair and reasonable ratio to gold, which were referred to the Committee on Finance.

BILLS INTRODUCED.

Mr. DICK introduced a bill (S. 7270) to establish a Board of Visitors to the United States Naval Academy, which was read twice by its title and referred to the Committee on Naval Affairs.

Mr. FRAZIER (for Mr. TAYLOR) introduced a bill (S. 7271) for the relief of the estate of Jane Newell, deceased, which was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

Mr. HEYBURN introduced a bill (S. 7272) for the relief of Frank B. Crosthwaite, which was read twice by its title and referred to the Committee on Claims.

He also introduced a bill (S. 7273) to incorporate the New Washington Center Market Company, which was read twice by its title and, with the accompanying paper, referred to the Committee on the District of Columbia.

HULL CITY PLACER MINING CLAIM.

Mr. TELLER submitted the following resolution, which was considered by unanimous consent and agreed to:

Whereas on the 5th day of February, 1898, patent was issued to W. S. Montgomery et al. for the Hull City Placer Mining Claim, situate in the Pueblo, Colo., land district; and

Whereas it is alleged said patent was secured through bribery, perjury and subornation of perjury, and other wrongful acts on the part of those securing said patent; and

Whereas the attention of the Interior Department and Department of Justice has been called to the aforesaid charges and proof of said wrongful acts furnished said Departments and no action has been taken thereon: Therefore be it

Resolved, That the Secretary of the Interior Department and the Attorney-General of the United States be, and they are hereby, directed to transmit to the Senate of the United States all correspondence of every kind and description between any officer, agent, or employee of the United States Government and any other person or persons whomsoever pertaining or appertaining to said matter.

BEET-SUGAR INDUSTRY.

Mr. DICK. I present certain addresses delivered by Mr. Truman G. Palmer, secretary of the American Beet Sugar Association, on the progress of the industry, its economic value to the nation, its special importance to arid America, and the legislation which threatens its destruction. I move that they be printed as a document.

The motion was agreed to.

AFFAIRS IN THE PHILIPPINES.

Mr. DICK. I present certain papers, being notes and observations upon the conditions in the Philippine Islands. I move that they be printed as a document.

The motion was agreed to.

COMPENSATION OF CERTAIN TREASURY OFFICIALS.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 21003) fixing the compensation of certain officials in the customs service, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ALDRICH. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, and that the conferees be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed Mr. ALDRICH, Mr. HALE, and Mr. TELLER as the conferees on the part of the Senate.

BUREAU OF IMMIGRATION AND NATURALIZATION.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives agreeing to the amendments of the Senate numbered 1, 2, 3, 4, and 6 and disagreeing to amendment numbered 5 to the bill (H. R. 21052) to amend sections 11 and 13 of an act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States."

Mr. DILLINGHAM. I move that the Senate insist upon its amendment numbered 5 and request a conference with the House on the disagreeing votes of the two Houses thereon, and that the conferees be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed Mr. DILLINGHAM, Mr. PENROSE, and Mr. McLAURIN as the conferees on the part of the Senate.

FORT PECK INDIAN RESERVATION.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 208) for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment, which were to strike out all of section 2; to strike out all of section 3; to strike out all of section 4; to strike out all of section 5.

On page 7, after line 4, to insert:

SEC. 2. That as soon as all the lands embraced within the said Fort Peck Indian Reservation shall have been surveyed the Commissioner of Indian Affairs shall cause allotments of the same to be made under the provisions of the allotment laws of the United States to all Indians belonging and having tribal rights on said reservation; and there shall be allotted to each such Indian 320 acres of grazing land, and there shall also be made an additional allotment of not less than 2½ acres nor more than 20 acres of timber land to heads of families and single adult members of the tribe over 18 years of age: *Provided*, That should it be determined as feasible, after examination, to irrigate any of said lands, the irrigable land shall be allotted in equal proportions to such only of the members of said tribe as shall be living at the day of the beginning of the work of allotment on said reservation by the special allotting agent, and such allotment of irrigable land shall be in addition to the allotments of grazing and timber lands aforesaid, but no member shall receive more than 40 acres of such irrigable land; and to pay the costs of examination provided for herein and for the construction of irrigation systems to irrigate lands which may be found susceptible of irrigation, there is hereby appropriated \$200,000, to be immediately available, the said sum and any and all additional sums hereafter appropriated to pay the cost of such examination and irrigation systems to be reimbursed from proceeds of sales of lands within the said reservation: *Provided*, however, That any land irrigable by any system constructed under the provisions of this act may be disposed of subject to the following conditions: The entryman or owner shall, in addition to the payments required by section 8 of this act, be required to pay for a water right the proportionate cost of the construction of said system in not more than fifteen annual installments, as fixed by the Secretary of the Interior, with a view to the return of all moneys expended thereon, the same to be paid at the local land office, and the register and receiver shall be allowed the usual commissions on all moneys paid.

The entryman of lands to be irrigated by said system shall, in addition to compliance with the homestead laws, reclaim at least one-half of the total irrigable area of his entry for agricultural purposes, and before receiving patent for the lands covered by his entry shall pay the charges apportioned against such tract, nor shall any such lands be subject to mineral entry or location. No right to the use of water shall be disposed of for a tract exceeding 160 acres to any one person, and the Secretary of the Interior may limit the areas to be entered at not less than 40 nor more than 160 acres each.

A failure to make any two payments when due shall render the entry and water-right application subject to cancellation, with the forfeiture of all rights under this act, as well as of any moneys paid thereon. The funds arising hereunder shall be paid into the Treasury of the United States and be added to the proceeds derived from the sale of the lands. No right to the use of water for lands in private ownership shall be sold to any landowner unless he be an actual bona fide resident on such land or occupant thereof residing in the neighborhood of such land, and no such right shall permanently attach until all payments therefor are made.

All applicants for water rights under the systems constructed in pursuance of this act shall be required to pay such annual charges for operation and maintenance as shall be fixed by the Secretary of the Interior, and the failure to pay such charges when due shall render the water-right application and the entry subject to cancellation, with the forfeiture of all rights under this act as well as of any moneys already paid thereon.

The Secretary of the Interior is hereby authorized to fix the time for the beginning of such payments and to provide such rules and regulations in regard thereto as he may deem proper. Upon the cancellation of any entry or water-right application, as herein provided, such lands or water rights may be disposed of under the terms of this act and at such price and on such conditions as the Secretary of the Interior may determine, but not less nor more than the cost as originally fixed.

In every case in which a forfeiture is enforced and the land and rights of an entryman are made the subject of resale then, after the payment of the balance due from the entryman and the cost and charges, if any, attendant on the forfeiture and resale, any surplus remaining out of the proceeds of such sale shall be refunded to said entryman or his heirs.

The land irrigable under the systems herein provided, which has been allotted to Indians in severalty, shall be deemed to have a right to so much water as may be required to irrigate such land without cost to the Indians for the construction of such irrigation systems. The purchaser of any Indian allotment purchased prior to the expiration of the trust period thereon shall be exempt from any and all charge for construction of the irrigation system incurred up to the time of such purchase. All lands allotted to Indians shall bear their pro rata share of the cost of operation and maintenance of the irrigation system under which they lie; and the Secretary of the Interior may withhold from any Indian a sufficient amount of his pro rata share of any moneys subject to distribution to pay any charge assessed against land held in trust for him for operation and maintenance of the irrigation system.

When the payments required by this act have been made for the major part of the unallotted lands irrigable under any system, and subject to charges for construction thereof, the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby, to be maintained at their expense, under such form of organization and under such rules and regulations as may be acceptable to the Secretary of the Interior.

All appropriations of the waters of the reservation shall be made under the provisions of the laws of the State of Montana.

SEC. 3. That the Secretary of the Interior may reserve such lands as he may deem necessary for agency, school, and religious purposes, to remain reserved as long as needed, and as long as agency, school, or religious institutions are maintained thereon for the benefit of said Indians: *Provided*, however, That the Secretary of the Interior is hereby authorized and directed to issue a patent in fee simple to the duly authorized missionary board, or other proper authority of any religious organization heretofore engaged in mission or school work on said reservation, for such lands thereon (not included in any town

site herein provided for) as have been heretofore set apart to such organization for mission or school purposes: And provided further, That the Secretary of the Interior is hereby authorized and directed to reserve 2.07 acres of land in the town of Poplar, on said reservation, now occupied for public school purposes, and issue patent in fee for the same to the school trustees of the school district in which said land is situated.

The Secretary of the Interior is hereby authorized and directed, when the said lands are surveyed, to issue to the Great Northern Railway Company a patent or patents conveying for railroad purposes such lands at such point or points as in the judgment of the said Secretary are necessary for the use of said railway company in the construction and maintenance of water reservoirs, dam sites, and for right of way for water pipe lines for use by said railway company in operating its line of railroad over and across said reservation; the said lands so to be conveyed not to exceed 40 acres at any one point and not to exceed one tract for each 10 miles of the main line of said railway as now constructed within said reservation, and said lands shall be selected in such manner as not to unnecessarily injure or interfere with the selection and location of town sites hereinafter provided for; the said patent or patents to be delivered to said company upon payment by said company, within thirty days after notification of the issuance of patent, of the reasonable value of said lands, not less than \$2.50 per acre, and also upon payment by said company to said Secretary of any and all damages sustained by individual members of said tribe by reason of the appropriation of said lands for the purposes aforesaid; all moneys so paid for the value of said lands to be deposited in the Treasury of the United States to the credit of said Indians, and the moneys received by said Secretary as damages sustained by individual members of said tribe shall be by him paid to the individuals sustaining said damages.

SEC. 4. That upon the completion of said allotments the President of the United States shall appoint a commission consisting of three persons to inspect, classify, appraise, and value all of said lands that shall not have been allotted in severalty to said Indians or reserved by the Secretary of the Interior, said commission to be constituted as follows: One of said commissioners shall be a person holding tribal relations with said Indians, one a representative of the Indian Bureau, and one a resident citizen of the State of Montana.

SEC. 5. That within thirty days after their appointment said commissioners shall meet at some point within the Fort Peck Reservation and organize by election of one of their number as chairman. Said commission is hereby empowered to select, subject to the approval of the Secretary of the Interior, such clerks and assistants as may be necessary in the performance of their duties herein specified, the compensation of each such clerk and assistant to be fixed by said Secretary. In no case shall any such clerk or assistant receive a salary exceeding \$6 per day. In addition to the compensation of said clerks and assistants and in addition to the salaries hereinafter provided for the said commissioners, they shall each receive their actual necessary expenses incurred during such time only as they shall be engaged in the performance of their respective duties on said reservation.

Mr. DIXON. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

INJURIES TO GOVERNMENT EMPLOYEES.

Mr. DEPEW. I ask unanimous consent to call up the bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

The VICE-PRESIDENT. Is there objection to the request of the Senator from New York?

Mr. BAILEY. I object.

Mr. DEPEW. Then I move that the bill be taken up.

The VICE-PRESIDENT. The Senator from New York moves that the Senate proceed to the consideration of the bill.

Mr. HALE. I suppose the Senator, after getting up the bill, will not object to yielding a short time to Senators.

Mr. DEPEW. Certainly not.

Mr. BAILEY. He is not going to get it up unless he gets a quorum and keeps it here. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Texas suggests the absence of a quorum. The Secretary will call the roll.

Mr. BAILEY. If I can have the indulgence of the Senate, I understand the Senator from Mississippi has a motion pending to recommit the bill to the committee.

Mr. McLAURIN. No; I have not. I have an amendment pending to the bill.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ankeny	Culberson	Gallinger	Paynter
Bacon	Cullom	Gary	Piles
Bailey	Curtis	Guggenheim	Scott
Bankhead	Daniel	Hale	Simmons
Beveridge	Depew	Heyburn	Stephenson
Borah	Dick	Hopkins	Stewart
Brandegee	Dillingham	Kean	Stone
Briggs	Dixon	Long	Sutherland
Bulkeley	du Pont	McLaurin	Teller
Burkett	Elkins	Milton	Warner
Burnham	Flint	Nelson	Warren
Carter	Foraker	Newlands	
Clark, Wyo.	Frazier	Nixon	
Clay	Fulton	Overman	

The VICE-PRESIDENT. Fifty-three Senators have answered to their names. A quorum is present. The question is on the motion of the Senator from New York [Mr. DEPEW] to proceed to the consideration of House bill 21844.

Mr. HALE. Will the Senator from New York yield to me to make a statement?

Mr. DEPEW. I yield to the Senator from Maine.

BUSINESS OF THE SESSION.

Mr. HALE. Mr. President, I desire to make a statement to the Senate as to the present condition of the public business.

Several days ago I stated that the only remaining conference report on the large appropriation bills is that on the deficiency bill. I stated then that I was awaiting the action of the House to pass the public-buildings bill, in order to bring in the deficiency appropriation bill, which has upon it the appropriations for the coming year contained in the provisions of the public-buildings bill. The matter has continued in that condition for the last three days. I am now informed that the House at the present moment is voting upon accepting the report upon the public-buildings bill, which, if accepted, makes that the law and is the foundation of the appropriations to be made in the deficiency bill.

As soon as that report reaches the Senate, I shall present the last conference report on an appropriation bill—the report on the deficiency appropriation bill—which carries, as I have said, the appropriations for public buildings for the year to come. It has all been made up by the Treasury Department in the Supervising Architect's office. That will be the last appropriation bill in any form to bring before the Senate. It will go at once to the House, and it is believed it will take no time there.

The feeling in the House is naturally very strong that we should adjourn this evening, and I may say the Speaker believes that only a few hours will be needed to wind up all the business after the report on the deficiency appropriation bill here.

There will be less delay than usual in enrolling the appropriation bills for the reason that in the time that has elapsed in the last three or four days, while the Senate has been busy with the measure before it, all of the great appropriation bills have been already substantially enrolled. So there will be no waiting on that account.

I present this consideration to the Senate because if we are to adjourn this evening, sometime about 9 o'clock, of course Senators should stay to make a quorum. If we do not do that we will go over until Monday and adjourn at that time.

I know Senators are very weary, and that last night was very prostrating in its effect. While I will make no decided prediction, which I ventured upon the other day rather rashly, I believe from what the authorities in the House, including the Speaker, have told me we can clean up all the business by about 9 o'clock this evening and reach a final adjournment.

Mr. BAILEY. That is, if we vote down the motion of the Senator from New York.

Mr. HALE. Of course the Senator understands that if that motion is voted up and is before the Senate, it will give way to the conference report on the appropriation bill.

Mr. BAILEY. Provided the conferees see fit to present the report while that bill is pending.

Mr. HALE. I have just stated that as soon as the word comes that the public-buildings bill has passed the House, I shall submit the report on the deficiency appropriation bill, no matter what is before the Senate.

Mr. BAILEY. I very much doubt whether the public-buildings bill can pass the House, they having so little interest in that measure.

Mr. HALE. Of course it is subject to the doubt which is thrown about the feeling in the House with reference to that bill; but I am told that the House is becoming each day more and more reconciled to the public-buildings bill, and it is likely to pass and by a substantial majority.

Mr. BACON. I should like to make one suggestion to the Senator from Maine.

Mr. HALE. I am informed that word has come from the House that the conference report on the public-buildings bill has been agreed to there. I will ask a messenger to bring me the conference report on the deficiency appropriation bill.

INJURIES TO GOVERNMENT EMPLOYEES.

Mr. DEPEW. Mr. President, I ask that the question be put on my motion.

The VICE-PRESIDENT. The question is on the motion of the Senator from New York to proceed to the consideration of House bill 21844.

Mr. BAILEY. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BORAH. May I inquire what is the question we are voting on?

The VICE-PRESIDENT. The question is on proceeding to the consideration of the bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLAY (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. LODGE].

Mr. CULLOM (when his name was called). I am paired with the junior Senator from Virginia [Mr. MARTIN].

Mr. DILLINGHAM (when his name was called). Owing to my general pair with the senior Senator from South Carolina [Mr. TILLMAN] I withhold my vote. If he were present, I would vote "yea."

Mr. OVERMAN (when his name was called). I again announce my pair with the senior Senator from California [Mr. PERKINS].

Mr. TELLER (when his name was called). I announce my pair with the senior Senator from Iowa [Mr. ALLISON].

Mr. WARREN (when his name was called). I announce the same arrangement as to the pair that I have already announced, and it may stand for the day. I vote "yea."

The roll call was concluded.

Mr. DILLINGHAM. By an arrangement my general pair with the senior Senator from South Carolina [Mr. TILLMAN] has been transferred to the Senator from South Dakota [Mr. GAMBLE] and I vote "yea." This announcement will stand for the day. Therefore it releases the Senator from Nevada [Mr. NEWLANDS] from his pair.

Mr. CULLOM. I have a general pair with the junior Senator from Virginia [Mr. MARTIN]. I transfer that pair to the Senator from South Dakota [Mr. KITTREDGE] and vote "yea."

Mr. TELLER. I have the right to vote to make a quorum, and I will vote as I believe the Senator from Iowa would vote if he were here. I vote "yea."

The result was announced—yeas 48, nays 1, as follows:

YEAS—48.

Aldrich	Clark, Wyo.	Gallinger	Nixon
Ankeny	Cullom	Gary	Piles
Bacon	Curtis	Guggenheim	Scott
Beveridge	Depew	Hale	Smoot
Borah	Dick	Hemenway	Stephenson
Brandegee	Dillingham	Heyburn	Stewart
Briggs	Dixon	Hopkins	Stone
Bulkeley	du Pont	Kean	Sutherland
Burkett	Elkins	La Follette	Teller
Burnham	Flint	Long	Warner
Burns	Foraker	Nelson	Warren
Carter	Fulton	Newlands	Wetmore

NAYS—1.

Bailey

NOT VOTING—43.

Allison	Dolliver	McCreary	Perkins
Bankhead	Poster	McCumber	Platt
Bourne	Frazier	McEnery	Rayner
Brown	Frye	McLaurin	Richardson
Clapp	Gamble	Martin	Simmons
Clarke, Ark.	Gore	Milton	Smith, Md.
Clay	Hansbrough	Money	Smith, Mich.
Crane	Johnston	Owen	Tallafiero
Culberson	Kittredge	Overman	Taylor
Daniel	Knox	Paynter	Tillman
Davis	Lodge	Penrose	

So the motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

The VICE-PRESIDENT. The pending question is on the amendment proposed by the Senator from Mississippi [Mr. McLAURIN].

Mr. BAILEY. Mr. President, I never was more certain of anything in my life than I am that this is a bad bill. It is vicious in principle in that it sends men for the determination of what ought to be a legal right to an officer of the Government who need not be, and generally is not, a lawyer.

But in view of the very decisive vote of the Senate—something like forty-seven in favor of taking the bill up to my single vote against taking it up—I am going to let the Senate make this mistake without any further protest on my part.

The VICE-PRESIDENT. Is the Senate ready for the question on agreeing to the amendment of the Senator from Mississippi?

Mr. McLAURIN. I should like to have it read.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. On page 2 of the bill, line 10, where the words "Secretary of Commerce and Labor" were restored in the bill, it is proposed to strike out those words and insert:

Judges of the circuit court of the United States for the district in which the injury shall have been inflicted, from whose decision an appeal may be taken by the injured person to the circuit court of appeals, to which appeals may be taken in said district.

Mr. BORAH. This is the amendment which was offered by the Senator from Mississippi, and which refers a certain part of this matter to a court for determination?

Mr. McLAURIN. This is the amendment which proposes to

allow the judge of the district in which the injury is inflicted to pass upon the question of negligence and that alone, giving the man an opportunity when he is injured to be heard right at his home, without coming to Washington to be heard, or instead of sending the case to Washington and having to combat a report, which probably may be an unfavorable report, by his superior in authority. I think it is a good amendment.

Mr. BORAH. I am not going at this late hour, and in view of the strain under which we have been laboring for some time, to discuss the amendment. But it has occurred to me that it sends a man to two different places in order to receive his compensation, and it is a considerable burden upon a man who has received an injury first to send him to a court and then send him to the Secretary of Commerce and Labor in order to have the question finally determined as to whether he shall be paid. I think in view of that fact the amendment ought not to be adopted.

Mr. McLAURIN. The Senator from Idaho entirely misunderstands the amendment. If it were adopted, then the judge of the district would pass upon the question of negligence; and if the judge determined that there was no negligence on the part of the employee who was injured, he is entitled to his pay without a reference of the case for the decision of the Secretary of Commerce and Labor.

If the judge should decide against him, under this amendment he would have an opportunity to appeal to the circuit court of appeals of that district. There is no provision in the amendment for the Government to appeal, but for the injured employee to appeal. So it is not in the arbitrary power of any one man to cut him out.

By the provisions of this bill, if the officer, whoever he may be, just superior to the injured employee should send to the Secretary of Commerce and Labor an unfavorable report, the injured employee would have to come with that report before the Secretary of Commerce and Labor, and he would have no way of combating it, except at the distance of a thousand or two thousand or three thousand miles—certainly a long distance in the case of an employee in the State of Idaho, the Senator's State. But if the amendment is adopted the injured employee would have an opportunity to combat that report, if it were unfavorable to him, right at his home in almost every instance.

Mr. BORAH. I understand the position of the Senator.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Mississippi.

The amendment was rejected.

Mr. McLAURIN. I have one more amendment that I propose to offer, and I ask the attention of the Senate to the amendment. I hope that the Senator from New York who is in charge of the bill will not combat this amendment. I move to strike out section 6. I ask the attention of the Senate to the reading of section 6.

Mr. DEPEW. Mr. President, I accept the amendment.

Mr. McLAURIN. That is all right.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 5, strike out section 6, in the following words:

SEC. 6. That to seek to obtain by fraudulent means or to accept benefits under this act to which the person is not entitled shall be deemed a misdemeanor on his part and punishable by a fine of not more than \$1,000 or by imprisonment for not more than two years, or both.

The amendment was agreed to.

Mr. GORE. I send to the desk an amendment which I desire to offer to the bill.

The VICE-PRESIDENT. The amendment submitted by the Senator from Oklahoma will be stated.

The SECRETARY. It is proposed to add at the end of section 1 the following additional proviso:

Provided further, That whenever such injury shall result from the negligence, incompetency, or misconduct of some other employee of the Government such other employee shall be discharged from the public service as soon as the fact of his negligence, incompetency, or misconduct has been determined, and he shall not be reemployed by the Government for the period of two years thereafter.

Mr. DEPEW. I move to lay the amendment on the table.

The motion to lay on the table was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

DEFICIENCY APPROPRIATION BILL.

Mr. HALE submitted the following report:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 21946) making appropriations to supply deficiencies in the ap-

appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 30, 32, 33, 34, and 38.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 31, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, and 82, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Toward amounts requisite for public buildings, authorized under the provisions of an act entitled 'An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes,' passed at the first session of the Sixtieth Congress, namely:

"Under the provisions and limitations of section 1 of said act, as follows:

"Rome, Ga., post-office and court-house, fifteen thousand dollars.

"Burlington, Iowa, post-office, five thousand dollars.

"Council Bluffs, Iowa, post-office and court-house, six thousand two hundred and fifty dollars, for the purchase of additional land.

"Duluth, Minn., post-office, etc., ninety-five thousand dollars.

"St. Joseph, Mo., post-office and court-house, twelve thousand dollars.

"Johnstown, Pa., post-office, twenty thousand dollars.

"Murfreesboro, Tenn., post-office, ten thousand dollars.

"Tyler, Tex., post-office, fifteen thousand dollars.

"Salt Lake City, Utah, post-office, etc., sixty thousand dollars.

"Fairmont, W. Va., post-office, ten thousand dollars.

"Wheeling, W. Va., post-office and court-house, twenty thousand dollars.

"Platteville, Wis., post-office, fifteen thousand dollars.

"Under the provisions and limitations of section 2 of said act, as follows:

"Montgomery, Ala., post-office and court-house, fifteen thousand dollars.

"Hot Springs, Ark., post-office, twenty thousand dollars.

"Sacramento, Cal., post-office and court-house, thirty thousand dollars.

"San Jose, Cal., post-office, two thousand dollars.

"New London, Conn., post-office, twenty thousand dollars.

"Wilmington, Del., post-office and court-house, forty thousand dollars.

"Athens, Ga., post-office and court-house, twenty thousand dollars.

"Augusta, Ga., post-office and court-house, two thousand dollars.

"Boise, Idaho, post-office and other governmental buildings, forty thousand dollars.

"Elgin, Ill., post-office, twenty thousand dollars.

"Peoria, Ill., post-office and court-house, ten thousand dollars.

"Quincy, Ill., post-office and court-house, twenty-five thousand dollars.

"Rock Island, Ill., post-office, twenty-five thousand dollars.

"Davenport, Iowa, post-office and court-house, twenty-five thousand dollars.

"Fort Dodge, Iowa, post-office, twenty-five thousand dollars.

"Emporia, Kans., post-office, fifteen thousand dollars.

"Kansas City, Kans., post-office, forty thousand dollars.

"Lexington, Ky., post-office, twenty-five thousand dollars.

"Frankfort, Ky., post-office and court-house, twenty thousand dollars.

"Paducah, Ky., post-office and court-house, fifteen thousand dollars.

"Richmond, Ky., post-office and court-house, ten thousand dollars.

"Bath, Me., post-office and custom-house, twenty thousand dollars.

"Belfast, Me., post-office and custom-house, twenty thousand dollars.

"Ellsworth, Me., post-office and custom-house, twenty thousand dollars.

"Jackson, Mich., post-office, fifteen thousand dollars.

"Meridian, Miss., post-office and court-house, twenty thousand dollars.

"Beatrice, Nebr., post-office, twenty thousand dollars.

"Fremont, Nebr., post-office, fifteen thousand dollars.

"Manchester, N. H., post-office and court-house, fifteen thousand dollars.

"Hoboken, N. J., post-office, twenty thousand dollars.

"New Brunswick, N. J., post-office, twenty thousand dollars.

"Trenton, N. J., post-office and court-house, ten thousand dollars.

"Goldsboro, N. C., post-office, ten thousand dollars.

"Newbern, N. C., post-office and court-house, fifteen thousand dollars.

"Raleigh, N. C., post-office and court-house, ten thousand dollars.

"Lima, Ohio, post-office, twenty thousand dollars.

"Chester, Pa., post-office, twenty thousand dollars.

"Reading, Pa., post-office, twenty-five thousand dollars.

"Pawtucket, R. I., post-office, twenty thousand dollars.

"Sioux Falls, S. Dak., post-office and court-house, twenty thousand dollars.

"Bristol, Tenn., post-office and court-house, twenty thousand dollars.

"Jackson, Tenn., post-office and court-house, twenty thousand dollars.

"Charlottesville, Va., post-office, thirty-five thousand dollars.

"Danville, Va., post-office and court-house, twenty thousand dollars.

"Charleston, W. Va., post-office and court-house, twenty-five thousand dollars.

"Huntington, W. Va., post-office and court-house, five thousand five hundred dollars.

"La Crosse, Wis., post-office and court-house, twenty thousand dollars."

"Under the provisions and limitations of section 3 of said act, as follows:

"Demopolis, Ala., post-office, fifteen thousand dollars.

"Troy, Ala., post-office, twenty thousand dollars.

"Santa Cruz, Cal., post-office, twenty thousand dollars.

"Griffin, Ga., post-office, twenty thousand dollars.

"Newnan, Ga., post-office, twenty thousand dollars.

"Way Cross, Ga., post-office, fifteen thousand dollars.

"Lewiston, Idaho, post-office and land office, twenty thousand dollars.

"Centralia, Ill., post-office, twenty thousand dollars.

"Litchfield, Ill., post-office, twenty thousand dollars.

"Columbus, Ind., post-office, twenty thousand dollars.

"Connersville, Ind., post-office, twenty thousand dollars.

"Greencastle, Ind., post-office, twenty thousand dollars.

"Jeffersonville, Ind., post-office, fifteen thousand dollars.

"Kokomo, Ind., post-office, twenty thousand dollars.

"Peru, Ind., post-office, etc., twenty thousand dollars.

"Decorah, Iowa, post-office, fifteen thousand dollars.

"Estherville, Iowa, post-office, fifteen thousand dollars.

"Shenandoah, Iowa, post-office, fifteen thousand dollars.

"Catlettsburg, Ky., post-office and court-house, twenty thousand dollars.

"Beverly, Mass., post-office, fifteen thousand dollars.

"Marlboro, Mass., post-office, twenty thousand dollars.

"Plymouth, Mass., post-office, twenty-five thousand dollars.

"Webster, Mass., post-office, fifteen thousand dollars.

"Woburn, Mass., post-office, fifteen thousand dollars.

"Pontiac, Mich., post-office, twenty thousand dollars.

"Austin, Minn., post-office, fifteen thousand dollars.

"Brainerd, Minn., post-office, ten thousand dollars.

"Rochester, Minn., post-office, fifteen thousand dollars.

"Hattiesburg, Miss., post-office, twenty thousand dollars.

"West Point, Miss., post-office, no site.

"Carrollton, Mo., post-office, fifteen thousand dollars.

"Clinton, Mo., post-office, twenty thousand dollars.

"Independence, Mo., post-office, fifteen thousand dollars.

"Lexington, Mo., post-office, fifteen thousand dollars.

"Macon, Mo., post-office, fifteen thousand dollars.

"Warrensburg, Mo., post-office, twenty thousand dollars.

"Missoula, Mont., post-office, etc., twenty-five thousand dollars.

"Columbus, Nebr., post-office, twenty thousand dollars.

"Plattsmouth, Nebr., post-office, fifteen thousand dollars.

"Keene, N. H., post-office, twenty thousand dollars.

"Amsterdam, N. Y., post-office, twenty thousand dollars.

"Malone, N. Y., post-office, fifteen thousand dollars.

"Middletown, N. Y., post-office, twenty thousand dollars.

"Concord, N. C., post-office, twenty thousand dollars.

"Henderson, N. C., post-office, twenty thousand dollars.

"High Point, N. C., post-office, twenty thousand dollars.

"Ashtabula, Ohio, post-office, twenty thousand dollars.

"Delaware, Ohio, post-office, twenty thousand dollars.

"Enid, Okla., post-office and court-house, twenty thousand dollars.

"Bradford, Pa., post-office, fifteen thousand dollars.
 "Carbondale, Pa., post-office, twenty thousand dollars.
 "Chambersburg, Pa., post-office, twenty thousand dollars.
 "Easton, Pa., post-office, twenty thousand dollars.
 "Greensburg, Pa., post-office, twenty thousand dollars.
 "Sewickley, Pa., post-office, twenty thousand dollars.
 "Shamokin, Pa., post-office, twenty thousand dollars.
 "York, Pa., post-office and internal revenue office, fifty thousand dollars.

"Aiken, S. C., post-office, fifteen thousand dollars.
 "Cleveland, Tenn., post-office, fifteen thousand dollars.
 "Palestine, Tex., post-office, twenty thousand dollars.
 "San Marcos, Tex., post-office, ten thousand dollars.
 "Temple, Tex., post-office, twenty thousand dollars.
 "Bellingham, Wash., post-office and court-house, twenty-five thousand dollars.

"North Yakima, Wash., post-office and court-house, twenty-five thousand dollars.
 "Hinton, W. Va., post-office, fifteen thousand dollars.
 "Appleton, Wis., post-office, fifteen thousand dollars.
 "Beloit, Wis., post-office, twenty thousand dollars.
 "Watertown, Wis., post-office, twenty thousand dollars.
 "Lander, Wyo., post-office and court-house, twenty thousand dollars."

"Under the provisions and limitations of section 4 of said act, as follows:

"Ensley, Ala., post-office, twenty-five thousand dollars.
 "Eufaula, Ala., post-office, fifteen thousand dollars.
 "Talladega, Ala., post-office, twenty thousand dollars.
 "Phoenix, Ariz., post-office and court-house, thirty thousand dollars.

"Hope, Ark., post-office, twelve thousand five hundred dollars.
 "Jonesboro, Ark., post-office, twenty-five thousand dollars.
 "Paragould, Ark., post-office, fifteen thousand dollars.
 "Alameda, Cal., post-office, thirty thousand dollars.
 "Santa Barbara, Cal., post-office, twenty thousand dollars.
 "Riverside, Cal., post-office, thirty thousand dollars.
 "Fort Collins, Colo., post-office, twenty-five thousand dollars.
 "Ansonia, Conn., post-office, thirty-five thousand dollars.
 "Bristol, Conn., post-office, thirty thousand dollars.
 "Danbury, Conn., post-office, twenty thousand dollars.
 "Wallingford, Conn., post-office, fifteen thousand dollars.
 "Miami, Fla., post-office, custom-house, etc., twenty thousand dollars.

"Cordele, Ga., post-office, fifteen thousand dollars.
 "Dublin, Ga., post-office, fifteen thousand dollars.
 "Lagrange, Ga., post-office, twenty thousand dollars.
 "Milledgeville, Ga., post-office, twenty thousand dollars.
 "Chicago Heights, Ill., post-office, thirty thousand dollars.
 "Granite City, Ill., post-office, twenty-five thousand dollars.
 "Greenville, Ill., post-office, twenty-five thousand dollars.
 "La Salle, Ill., post-office, twenty-thousand dollars.
 "Mattoon, Ill., post-office, thirty thousand dollars.
 "Murphysboro, Ill., post-office, twenty thousand dollars.
 "Pana, Ill., post-office, sixteen thousand dollars.
 "Pontiac, Ill., post-office, twenty thousand dollars.
 "Bloomington, Ind., post-office, twenty thousand dollars.
 "Elwood, Ind., post-office, twenty thousand dollars.
 "Brazil, Ind., post-office, twenty thousand dollars.
 "Goshen, Ind., post-office, fifteen thousand dollars.
 "Laporte, Ind., post-office, fifteen thousand dollars.
 "Princeton, Ind., post-office, twenty thousand dollars.
 "Wabash, Ind., post-office, twenty thousand dollars.
 "Ames, Iowa, post-office, twenty-five thousand dollars.
 "Clay Center, Kans., post-office, ten thousand dollars.
 "Coffeyville, Kans., post-office, twenty-five thousand dollars.
 "Great Bend, Kans., post-office, fifteen thousand dollars.
 "Independence, Kans., post-office, etc., fifteen thousand dollars.

"Parsons, Kans., post-office, etc., twenty-five thousand dollars.
 "Wellington, Kans., post-office, fifteen thousand dollars.
 "Mount Sterling, Ky., post-office, eleven thousand dollars.
 "Somerset, Ky., post-office, fifteen thousand dollars.
 "Crowley, La., post-office, fifteen thousand dollars.
 "Franklin, La., post-office, fifteen thousand dollars.
 "Waterville, Me., post-office, twenty-five thousand dollars.
 "Frostburg, Md., post-office, fifteen thousand dollars.
 "Athol, Mass., post-office, twenty thousand dollars.
 "Chelsea, Mass., post-office, thirty thousand dollars.
 "Milford, Mass., post-office, twenty-five thousand dollars.
 "Westfield, Mass., post-office, ten thousand dollars.
 "Hillsdale, Mich., post-office, fifteen thousand dollars.
 "Ionia, Mich., post-office, twenty-five thousand dollars.
 "Monroe, Mich., post-office, fifteen thousand dollars.
 "Mount Clemens, Mich., post-office, fifteen thousand dollars.

"Faribault, Minn., post-office, twenty thousand dollars.
 "Virginia, Minn., post-office, twenty thousand dollars.
 "Wilmar, Minn., post-office, seventeen thousand dollars.
 "Brookhaven, Miss., post-office, twenty thousand dollars.
 "Corinth, Miss., post-office, fifteen thousand dollars.
 "Greenwood, Miss., post-office, fifteen thousand dollars.
 "Maryville, Mo., post-office, etc., fifteen thousand dollars.
 "Mexico, Mo., post-office, twenty thousand dollars.
 "Billings, Mont., post-office and land office, thirty thousand dollars.

"Fairbury, Nebr., post-office, fifteen thousand dollars.
 "Holdrege, Nebr., post-office, twenty thousand dollars.
 "Goldfield, Nev., post-office, etc., fifteen thousand dollars.
 "North Platte, Nebr., post-office and court-house, fifteen thousand dollars.

"Asbury Park, N. J., post-office, thirty thousand dollars.
 "Burlington, N. J., post-office, twenty-five thousand dollars.
 "Plainfield, N. J., post-office, etc., twenty-five thousand dollars.

"Roswell, N. Mex., post-office and court-house, twenty thousand dollars.

"Newark, N. Y., post-office, eighteen thousand dollars.
 "Penn Yan, N. Y., post-office, twenty thousand dollars.
 "Gastonia, N. C., post-office, fifteen thousand dollars.
 "Lexington, N. C., post-office, fifteen thousand dollars.
 "Wilson, N. C., post-office, etc., twenty thousand dollars.
 "Bismarck, N. Dak., post-office and court-house, forty-five thousand dollars.

"Minot, N. Dak., post-office and court-house, twenty-five thousand dollars.

"Alliance, Ohio, post-office, thirty thousand dollars.
 "Ironton, Ohio, post-office, twenty thousand dollars.
 "Mansfield, Ohio, post-office, twenty thousand dollars.
 "Massillon, Ohio, post-office, twenty thousand dollars.
 "Muskogee, Okla., post-office, etc., fifty thousand dollars.
 "Albany, Oreg., post-office, fifteen thousand dollars.
 "La Grande, Oreg., post-office, twenty thousand dollars.
 "Pendleton, Oreg., post-office, twenty-two thousand dollars.
 "Braddock, Pa., post-office, thirty-five thousand dollars.
 "Bristol, Pa., post-office, fifteen thousand dollars.
 "Connellsville, Pa., post-office, thirty-three thousand dollars.
 "Homestead, Pa., post-office, thirty-five thousand dollars.
 "Steelton, Pa., post-office, forty thousand dollars.
 "Westerly, R. I., post-office, twenty-five thousand dollars.
 "Abbeville, S. C., post-office, twenty thousand dollars.
 "Darlington, S. C., post-office, fifteen thousand dollars.
 "Gaffney, S. C., post-office, ten thousand dollars.
 "Laurens, S. C., post-office, fifteen thousand dollars.
 "Newberry, S. C., post-office, fifteen thousand dollars.
 "Orangeburg, S. C., post-office, fifteen thousand dollars.
 "Union, S. C., post-office, twenty thousand dollars.
 "Huron, S. Dak., post-office, twenty-five thousand dollars.
 "Dyersburg, Tenn., post-office, fifteen thousand dollars.
 "Harriman, Tenn., post-office, thirteen thousand dollars.
 "Union City, Tenn., post-office, thirteen thousand dollars.
 "Bonham, Tex., post-office, fifteen thousand dollars.
 "Cleburne, Tex., post-office, twenty thousand dollars.
 "Corpus Christi, Tex., post-office and custom-house, twenty thousand dollars.

"Del Rio, Tex., post-office and court-house, seventeen thousand dollars.

"Hillsboro, Tex., post-office, twenty-five thousand dollars.
 "McKinney, Tex., post-office, twenty thousand dollars.
 "Mineral Wells, Tex., post-office, fifteen thousand dollars.
 "Port Arthur, Tex., post-office and custom-house, thirteen thousand dollars.
 "Sulphur Springs, Tex., post-office, thirteen thousand dollars.

"Terrell, Tex., post-office, fifteen thousand dollars.
 "Victoria, Tex., post-office and court-house, fifteen thousand dollars.

"Waxahachie, Tex., post-office, twenty thousand dollars.
 "Wichita Falls, Tex., post-office, twenty thousand dollars.
 "Park City, Utah, post-office, eleven thousand dollars.
 "Brattleboro, Vt., post-office and court-house, twenty-five thousand dollars.

"Richford, Vt., post-office and custom-house, fifteen thousand dollars.

"Big Stone Gap, Va., post-office and court-house, fifteen thousand dollars.

"Lexington, Va., post-office, ten thousand dollars.
 "Suffolk, Va., post-office, twenty-five thousand dollars.
 "Everett, Wash., post-office, etc., thirty-five thousand dollars.
 "Walla Walla, Wash., post-office and court-house, thirty-five thousand dollars.

"Morgantown, W. Va., post-office, twenty-five thousand dollars.

- "Point Pleasant, W. Va., post-office, twenty thousand dollars.
 "Stevens Point, Wis., post-office, twenty thousand dollars.
 "Rock Springs, Wyo., post-office, etc., fifteen thousand dollars.
 "Under the provisions and limitations of section 5 of said act, as follows:
 "Cullman, Ala., post-office, five thousand dollars.
 "Mobile, Ala., post-office, one hundred and twenty-five thousand dollars.
 "Opelika, Ala., post-office, seven thousand five hundred dollars.
 "Eureka Springs Ark., post-office, seven thousand five hundred dollars.
 "Searcy, Ark., post-office, six thousand dollars.
 "Grass Valley, Cal., post-office, ten thousand dollars.
 "Pasadena, Cal., post-office, fifty thousand dollars.
 "Grand Junction, Colo., post-office, ten thousand dollars.
 "Greeley, Colo., post-office, fifteen thousand dollars.
 "Naugatuck, Conn., post-office, fifteen thousand dollars.
 "Washington, D. C., post-office, five hundred thousand dollars.
 "Live Oak, Fla., post-office, seven thousand five hundred dollars.
 "Lewes, Del., post-office, five thousand dollars.
 "St. Petersburg, Fla., post-office, seven thousand five hundred dollars.
 "Augusta, Ga., post-office and other governmental offices, thirty-five thousand dollars.
 "Bainbridge, Ga., post-office, seven thousand five hundred dollars.
 "Carróllton, Ga., post-office, seven thousand five hundred dollars.
 "Cartersville, Ga., post-office, seven thousand five hundred dollars.
 "Cedartown, Ga., post-office, seven thousand five hundred dollars.
 "Elberton, Ga., post-office, seven thousand five hundred dollars.
 "Savannah, Ga., Marine Hospital, thirteen thousand five hundred dollars.
 "Tifton, Ga., post-office, seven thousand five hundred dollars.
 "Pocatello, Idaho, post-office and court-house, ten thousand dollars.
 "Chicago, Ill., post-office, one million two hundred and fifty thousand dollars.
 "Duquoin, Ill., post-office, five thousand dollars.
 "Harrisburg, Ill., post-office, seven thousand five hundred dollars.
 "Rochelle, Ill., post-office, seven thousand five hundred dollars.
 "South Chicago, Ill., post-office, twenty-five thousand dollars.
 "Sterling, Ill., post-office, five thousand dollars.
 "Frankfort, Ind., post-office, fifteen thousand dollars.
 "Denison, Iowa, post-office, ten thousand dollars.
 "Fort Madison, Iowa, post-office, ten thousand dollars.
 "Iowa Falls, Iowa, post-office, seven thousand five hundred dollars.
 "Le Mars, Iowa, post-office, ten thousand dollars.
 "Red Oak, Iowa, post-office, ten thousand dollars.
 "Abilene, Kans., post-office, seven thousand five hundred dollars.
 "Beloit, Kans., post-office, seven thousand five hundred dollars.
 "Concordia, Kans., post-office, seven thousand five hundred dollars.
 "Ottawa, Kans., post-office, seven thousand five hundred dollars.
 "Ashland, Ky., post-office, twelve thousand dollars.
 "Bardstown, Ky., post-office, ten thousand dollars.
 "Cynthiana, Ky., post-office, ten thousand dollars.
 "Hopkinsville, Ky., post-office, twelve thousand dollars.
 "Lawrenceburg, Ky., post-office, seven thousand five hundred dollars.
 "Lafayette, La., post-office, five thousand dollars.
 "Biddeford, Me., post-office, twenty thousand dollars.
 "Camden, Me., post-office, ten thousand dollars.
 "Gardiner, Me., post-office, fifteen thousand dollars.
 "Old Town, Me., post-office, ten thousand dollars.
 "Attleboro, Mass., post-office, twenty thousand dollars.
 "Boston, Mass., custom-house, five hundred thousand dollars.
 "New Bedford, Mass., post-office, one hundred and twenty-five thousand dollars.
 "Battle Creek, Mich., post-office, nineteen thousand five hundred dollars.
 "Petoskey, Mich., post-office, ten thousand dollars.
 "Moorhead, Minn., post-office, five thousand dollars.
 "Laurel, Miss., post-office, twelve thousand five hundred dollars.
 "Vicksburg, Miss., post-office and court-house, fifteen thousand dollars.
 "Aurora, Mo., post-office, ten thousand dollars.
 "Boonville, Mo., post-office, ten thousand dollars.
 "Brookfield, Mo., post-office, ten thousand dollars.
 "Chillicothe, Mo., post-office, ten thousand dollars.
 "Marshall, Mo., post-office, ten thousand dollars.
 "Poplar Bluff, Mo., post-office, ten thousand dollars.
 "Rolla, Mo., post-office, five thousand dollars.
 "Trenton, Mo., post-office, ten thousand dollars.
 "Livingston, Mont., post-office, fifteen thousand dollars.
 "McCook, Nebr., post-office and court-house, eight thousand dollars.
 "Rochester, N. H., post-office, fifteen thousand dollars.
 "Morristown, N. J., post-office, thirty-five thousand dollars.
 "Orange, N. J., post-office, thirty thousand dollars.
 "Batavia, N. Y., post-office, fifteen thousand dollars.
 "Borough of Bronx, New York City, N. Y., post-office, one hundred thousand dollars.
 "Cortland, N. Y., post-office, twenty thousand dollars.
 "Fulton, N. Y., post-office, ten thousand dollars.
 "Hornell, N. Y., post-office, ten thousand dollars.
 "Mount Vernon, N. Y., post-office, thirty-five thousand dollars.
 "Oneonta, N. Y., post-office, twenty thousand dollars.
 "Salamanca, N. Y., post-office, ten thousand dollars.
 "Syracuse, N. Y., post-office only, seventy-five thousand dollars.
 "Waterloo, N. Y., post-office, ten thousand dollars.
 "Greenville, N. C., post-office, ten thousand dollars.
 "Hickory, N. C., post-office, ten thousand dollars.
 "Monroe, N. C., post-office, ten thousand dollars.
 "Oxford, N. C., post-office, seven thousand five hundred dollars.
 "Chickasha, Okla., post-office and court-house, fifteen thousand dollars.
 "Guthrie, Okla., post-office and court-house, thirty-five thousand dollars.
 "McAlester, Okla., post-office and court-house, fifteen thousand dollars.
 "Tulsa, Okla., post-office and court-house, twenty thousand dollars.
 "Bellaire, Ohio, post-office, twenty thousand dollars.
 "Bellefontaine, Ohio, post-office, ten thousand dollars.
 "Bowling Green, Ohio, post-office, ten thousand dollars.
 "Cambridge, Ohio, post-office, ten thousand dollars.
 "Defiance, Ohio, post-office, ten thousand dollars.
 "Middletown, Ohio, post-office, ten thousand dollars.
 "Steubenville, Ohio, post-office, twenty thousand dollars.
 "Tiffin, Ohio, post-office, twelve thousand five hundred dollars.
 "Van Wert, Ohio, post-office, ten thousand dollars.
 "Wooster, Ohio, post-office, ten thousand dollars.
 "Xenia, Ohio, post-office, ten thousand dollars.
 "Corry, Pa., post-office, eighteen thousand dollars.
 "Gettysburg, Pa., post-office, twenty-five thousand dollars.
 "Kittanning, Pa., post-office, fifteen thousand dollars.
 "Ridgeway, Pa., post-office, ten thousand dollars.
 "Sunbury, Pa., post-office, twenty-five thousand dollars.
 "Titusville, Pa., post-office, twenty thousand dollars.
 "Rapid City, S. Dak., post-office, seven thousand five hundred dollars.
 "Brookings, S. Dak., post-office, seven thousand five hundred dollars.
 "Lebanon, Tenn., post-office, five thousand dollars.
 "Morristown, Tenn., post-office, five thousand dollars.
 "Pulaski, Tenn., post-office, seven thousand five hundred dollars.
 "Shelbyville, Tenn., post-office, five thousand dollars.
 "Springfield, Tenn., post-office, five thousand dollars.
 "Austin, Tex., post-office, forty thousand dollars.
 "Brenham, Tex., post-office, ten thousand dollars.
 "Brownwood, Tex., post-office, seven thousand five hundred dollars.
 "Clarksburg, Tex., post-office, five thousand dollars.
 "Cuero, Tex., post-office, seven thousand five hundred dollars.
 "Marlin, Tex., post-office, seven thousand five hundred dollars.
 "Marshall, Tex., post-office, ten thousand dollars.
 "New Braunfels, Tex., post-office, seven thousand five hundred dollars.
 "Nacogdoches, Tex., post-office, five thousand dollars.
 "Navasota, Tex., post-office, five thousand dollars.
 "Weatherford, Tex., post-office, seven thousand five hundred dollars.
 "Bennington, Vt., post-office, ten thousand dollars.

"Covington, Va., post-office, seven thousand five hundred dollars.

"Wytheville, Va., post-office, five thousand dollars.

"Bedford City, Va., post-office, seven thousand five hundred dollars.

"Olympia, Wash., post-office, twenty thousand dollars.

"Elkins, W. Va., post-office, ten thousand dollars.

"Grafton, W. Va., post-office, fifteen thousand dollars.

"Parkersburg, W. Va., post-office and court-house, thirty-five thousand dollars.

"Sistersville, W. Va., post-office, ten thousand dollars.

"Menomone, Wis., post-office, ten thousand dollars.

"Merrill, Wis., post-office, seven thousand five hundred dollars.

"Milwaukee, Wis., appraisers' stores, fifty thousand dollars.

"Waukesha, Wis., post-office, fifteen thousand dollars.

"Casper, Wyo., post-office, ten thousand dollars.

"Douglas, Wyo., post-office, ten thousand dollars.

"Under the provisions and limitations of section 6 of said act, as follows:

"General expenses of public buildings: To enable the Secretary of the Treasury to execute and give effect to the provisions of section 6 of said act, and under the limitations and provisions thereof, twenty-five thousand dollars, to be immediately available and continue available for expenditure during the fiscal year nineteen hundred and nine, but this act shall not be construed to repeal the allowances made for personal services, in the annual appropriations under the control of the Supervising Architect, carried in the sundry civil act for the fiscal year ending June thirtieth, nineteen hundred and nine.

"Office of Supervising Architect: The services of skilled draftsmen, civil engineers, computers, and such other services as the Secretary of the Treasury may deem necessary and specially order, may be employed during the fiscal year nineteen hundred and nine, in addition to those now authorized, only in the Office of the Supervising Architect exclusively to carry into effect the various appropriations for the construction of public buildings, to be paid for from and equitably charged against such appropriations made in whole or in part prior to July first, nineteen hundred and seven: *Provided*, That the additional expenditure on this account for the fiscal year ending June thirtieth, nineteen hundred and nine, shall not exceed one hundred thousand dollars, and that the Secretary of the Treasury shall each year, in the annual estimates, report to Congress the number of persons so employed, their duties, and the amount paid to each: *And provided further*, That the authorization of three hundred thousand dollars for like services as above, contained in the legislative, executive, and judicial appropriation act for the fiscal year ending June thirtieth, nineteen hundred and nine, shall be similarly charged against public building appropriations made in whole or in part prior to July first, nineteen hundred and seven.

"Under the provisions and limitations of section 7 of said act, as follows:

"Danville, Ill., post-office, court-house, etc., fifty thousand dollars.

"Under the provisions and limitations of section 8 of said act, as follows:

"Ottumwa, Iowa, post-office, court-house, etc., thirty thousand dollars.

"Under the provisions and limitations of section 10 of said act, as follows:

"Peekskill, N. Y., post-office, etc., forty-five thousand dollars.

"Under the provisions and limitations of section 18 of said act, as follows:

"Honolulu, Hawaii, custom-house, court-house, etc., thirty thousand dollars.

"Under the provisions and limitations of section 19 of said act, as follows:

"Oklahoma City, Okla., post-office, court-house, etc., twenty thousand dollars.

"Under the provisions and limitations of section 20 of said act, as follows:

"Shreveport, La., court-house, etc., twenty-five thousand dollars.

"Under the provisions and limitations of section 21 of said act, as follows:

"Minneapolis, Minn., post-office, twenty thousand dollars.

"Under the provisions and limitations of section 22 of said act, as follows:

"Dayton, Ohio, post-office, court-house, etc., twenty thousand dollars.

"Under the provisions and limitations of section 24 of said act, as follows:

"Wilmington, N. C., custom-house, etc., eighty thousand dollars.

"Under the provisions and limitations of section 29 of said act, as follows:

"Washington, D. C., court-house, fifty thousand dollars.

"Under the provisions and limitations of section 30 of said act, as follows:

"Washington, D. C., site for buildings for Departments of State, Justice, and Commerce and Labor, two million five hundred thousand dollars, or so much thereof as may be necessary.

"Under the provisions and limitations of section 31 of said act, as follows:

"Denver, Colo., post-office, court-house, etc., fifty thousand dollars.

"Under the provisions and limitations of section 32 of said act, as follows:

"Point Pleasant, W. Va., monument, ten thousand dollars."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"For payment of twenty-four approved claims, exclusive of claim numbered two hundred and thirty-one thousand eight hundred and sixty-one, provided for in the preceding paragraph, for damages to and loss of private property belonging to citizens of the United States and the Philippine Islands, estimated for on page four hundred and six, House Document numbered twelve, Sixtieth Congress, first session, four thousand five hundred and fifty-two dollars and thirty-five cents."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Claims for property taken from Confederate officers and soldiers after surrender: The time for filing claims under the provisions of the act of February twenty-seventh, nineteen hundred and two, and amendments thereto, for horses, saddles, and bridles taken from Confederate soldiers in violation of terms of surrender, and for the payment thereof is extended for twelve months from the passage of this act; and all claims not presented within this time shall be forever barred."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: After the last line of said amendment insert the following as a separate paragraph:

"In computing the pay of retired officers of the Navy, the ten per cent additional pay allowed for sea duty or for shore duty beyond the continental limits of the United States shall not be included, and the pay of commodore shall be the same in all respects as that of rear-admiral, second nine."

And the Senate agree to the same.

EUGENE HALE,
W. B. ALLISON,
H. M. TELLER,

Managers on the part of the Senate.

JAMES A. TAWNEY,
EDWARD B. VREELAND,
S. BRUNDIDGE, JR.,

Managers on the part of the House.

The report was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

S. 5983. An act authorizing certain life-saving apparatus to be placed at the Farallone Islands, off the coast of California; and

S. 6358. An act to amend an act entitled "An act to incorporate The Masonic Mutual Relief Association of the District of Columbia."

The message also announced that the House had agreed to the concurrent resolution of the Senate No. 50, providing for the printing of 10,000 copies of the preliminary report of the Inland Waterways Commission, with illustrations.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 20658. An act authorizing the issue of equipment of arms, ammunition, and such accouterment as accompany same, for target practice, to the Memorial University, Mason City, Iowa;

H. R. 22212. An act granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Alleman; and

H. J. Res. 197. Joint resolution authorizing the employment of clerical services in the Department of Justice.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

H. R. 21871. An act to amend the national banking laws; and
H. R. 21897. An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes.

HOUSE BILL REFERRED.

H. R. 20658. An act authorizing the issue of equipment of arms, ammunition, and such accouterment as accompany same, for target practice, to the Memorial University, Mason City, Iowa, was read twice by its title and referred to the Committee on Military Affairs.

DEFENSE IN INDIAN DEPREDAATION CLAIMS.

The joint resolution (H. J. Res. 197) authorizing the employment of clerical services in the Department of Justice was read twice by its title.

Mr. CULLOM. I ask unanimous consent that the joint resolution may be put on its passage. It is simply to correct a mistake that was made in the Record.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It authorizes the Attorney-General to continue the employment of clerical services during the fiscal year 1909, under the appropriation for "Defense in Indian Depredation Claims," and to pay therefor out of said appropriation, not to exceed the sum of \$6,000.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BYRON C. MITCHELL AND OTHERS.

The bill (H. R. 22212) granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Alleman, was read twice by its title.

Mr. CURTIS. I ask unanimous consent for the present consideration of the bill. A similar bill passed the Senate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Byron C. Mitchell, late of Company F, One hundred and thirty-seventh Regiment Ohio Volunteer Infantry and to pay him a pension of \$24 per month in lieu of that he is now receiving; the name of Calvin P. Lynn, late of Company G, One hundred and fortieth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving; and the name of Harry S. Lee, formerly Albert Lee Alleman, late of Company F, One hundred and twenty-fourth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORDER FOR RECESS.

Mr. HALE (at 6 o'clock and 10 minutes p. m.). I ask unanimous consent that at half past 6 the Senate take a recess until half past 8. If this order is made, I will then move that the Senate proceed to the consideration of executive business.

The VICE-PRESIDENT. The Senator from Maine asks unanimous consent that the Senate take a recess from half past 6 o'clock until half past 8 o'clock this evening. Is there objection?

Mr. NEWLANDS. I ask the Senator from Maine whether he will not withhold his request for a moment that I may move—

Mr. HALE. I have declined to yield to several Senators. Senators desire to have time to get their dinner and get back here by half past 8.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Maine? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. BACON (at 6 o'clock and 16 minutes p. m.). Mr. President, I move that the Senate now take a recess until half past 8 o'clock.

The motion was agreed to; and the Senate took a recess until half past 8 o'clock p. m., at which hour it reassembled.

AFFAIRS IN THE TERRITORIES.

Mr. BEVERIDGE. I ask unanimous consent for the present consideration of House bill 21957.

The VICE-PRESIDENT. The Senator from Indiana asks unanimous consent for the present consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (H. R. 21957) relating to affairs in the Territories.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. CULBERSON. Mr. President, I ask the Senator from Indiana if that is the same bill which has been pending here, off and on, for a week?

Mr. BEVERIDGE. It has been up twice, and it has been amended in several particulars, I think. I do not think, so far as I am informed, that any Senator on either side has any further amendment to offer. If so, I shall be glad to hear it. I repeat, the bill has been up twice, once for an hour and the other time for fifteen minutes.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Indiana?

Mr. TELLER. I suggest to the Senator from Indiana that he wait for a few minutes.

Mr. BEVERIDGE. I am glad to do so; but I want to get the bill up. I make the request merely—

Mr. CLAY. I believe the Senator from Indiana stated the other day that he desired to have the bill passed with certain features stricken out. Is that correct?

Mr. BEVERIDGE. Yes. There was one feature, I will say to the Senator from Georgia, in reference to Hawaii which was stricken out.

Mr. CLAY. The other features, then, go out?

Mr. BEVERIDGE. They go out.

Mr. HALE. What is the bill?

Mr. CLAY. It is the omnibus Territorial bill.

Mr. HALE. The provision in relation to Hawaii goes out, I understand?

Mr. BEVERIDGE. The part in relation to Hawaii goes out. The part which was inserted upon the motion of the Senator from Wyoming [Mr. WARREN]—

Mr. CLAY. That simply related to a military reservation?

Mr. BEVERIDGE. To a military reservation.

Mr. CLAY. I have no objection, so far as I am concerned, to that feature of the bill; but, as I understand, it was the Hawaiian matter that went out.

Mr. BEVERIDGE. All concerning Hawaii was first stricken out. Then, on motion of the Senator from Wyoming, that portion concerning the military reservation was reinserted. That is the present state of the bill, as I understand it.

Mr. SCOTT. Mr. President, I would suggest, if we are going to have the bill taken up, that the bill be read. There is none of us who knows what is in the bill.

Mr. BEVERIDGE. I will state for the benefit of the Senator from West Virginia that the bill, with the committee amendments, has been read and thoroughly considered.

The VICE-PRESIDENT. The Senator from West Virginia [Mr. SCOTT] asks that the bill may be read.

Mr. BEVERIDGE. Very well.

The VICE-PRESIDENT. Without objection, the Secretary will read the bill.

Mr. BEVERIDGE. If the Senator has any objection to the bill I will withdraw it.

The VICE-PRESIDENT. The Secretary will read the bill as requested by the Senator from West Virginia.

The Secretary proceeded to read the bill (H. R. 21957) relating to affairs in the Territories.

Mr. BEVERIDGE. Mr. President, if the Senator from West Virginia has any objection to the Territories bill I shall not press it, because it is perfectly clear that if there is going to be any objection or debate on the bill it can not pass.

Mr. SCOTT. I withdraw my objection to the bill if other members of the Senator's committee are in favor of it. I wanted to hear what the Senator from Wyoming had to say about it.

Mr. BEVERIDGE. I will say, with reference to the Committee on Territories, that no bill is brought in here from that committee where they are not in favor of it. I will repeat that the bill has been before the Senate once for an hour and another time for fifteen minutes.

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. CLARK of Wyoming obtained the floor.

Mr. CLAPP. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wyoming yield to the Senator from Minnesota?

Mr. CLAPP. I will say—

Mr. CLARK of Wyoming. Mr. President, I want to make an inquiry of the Senator from Indiana. I think he answered the same inquiry from the Senator from Georgia [Mr. CLAY], but I could not hear him. There was some question in regard to laws passed by the Territorial legislature of Hawaii. I understand that provision is now out of the bill.

Mr. BEVERIDGE. All of the provisions of the bill concerning Hawaii were first stricken out on the motion of a member of the Committee on Territories, the Senator from Washington [Mr. PILES]. After that the second provision—I think it is section 36—was reinserted upon the motion of the colleague of the Senator from Wyoming [Mr. WARREN].

Mr. CLARK of Wyoming. I will say that I think that is perfectly proper. I have two amendments, however, which I wish to propose.

Mr. BEVERIDGE. Very well.

Mr. CLARK of Wyoming. I think they will not be objectionable to the Senator from Indiana.

The VICE-PRESIDENT. The Senator from Wyoming proposes an amendment, which will be stated by the Secretary.

Mr. CLARK of Wyoming. The amendment which I propose is on page 5.

The VICE-PRESIDENT. The Chair would suggest that there are some committee amendments which have not been disposed of. The Secretary will first state the committee amendments.

The SECRETARY. In section 4, line 8, after the word "Valdez," the Committee on Territories report to strike out the words "lithographed or printed thereon" and to insert the words "and also bear the seal of said town."

The amendment was agreed to.

The next amendment of the Committee on Territories was, in section 9, page 11, line 4, after the word "blood," to insert "who have not become citizens of the United States," so as to read:

That the term "Indian" in this act shall be construed to include the aboriginal races inhabiting Alaska when annexed to the United States, and their descendants of the whole or half blood, who have not become citizens of the United States.

The amendment was agreed to.

The VICE-PRESIDENT. The amendment proposed by the Senator from Wyoming [Mr. CLARK] will now be stated.

Mr. GALLINGER. There are other committee amendments, Mr. President.

Mr. CLARK of Wyoming. There are other committee amendments, I think, Mr. President.

The VICE-PRESIDENT. The Chair understands that this completes the consideration of the committee amendments.

Mr. CLARK of Wyoming. In section 8, page 5, line 5, after the word "years," I move to strike out "other than Indians."

Mr. BEVERIDGE. Those words, I believe, have already been stricken out. If they have not been stricken out, I am perfectly willing that they shall be.

Mr. GALLINGER. They were stricken out on my motion.

Mr. BEVERIDGE. That is my recollection.

The VICE-PRESIDENT. That is correct.

Mr. CLARK of Wyoming. In section 8, on page 5, line 20, I move to strike out the word "at" and to insert the word "for."

Mr. BEVERIDGE. Upon the motion of the Senator from New Hampshire [Mr. GALLINGER] that also has been entirely changed along the lines that the Senator is about to move.

Mr. GALLINGER. On my motion the language was changed, so that it reads properly now.

Mr. SUTHERLAND. I called the attention of the Senator from Indiana [Mr. BEVERIDGE] the other day, when this bill was under consideration, to page 7, the paragraph beginning in line 14 and ending in line 20. I think the Senator at that time agreed with me that the amendment I suggested was necessary.

Mr. BEVERIDGE. I did.

Mr. SUTHERLAND. I therefore move, on page 7, line 14, before the word "material," to strike out the word "false;" in the same line, after the word "statement," to strike out the word "is," and in line 15, after the word "affidavit," to insert the words "is willfully false;" so that the paragraph, if amended as I suggest, will read:

That if any material statement made in any part of such petition or affidavit is willfully false—

And so forth.

Mr. BEVERIDGE. That was in the original law, I will say to the Senator, and for that reason the committee brought it in in that way. I think, however, his amendment is appropriate.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 7, line 14, after the word "any," it is proposed to strike out "false;" in the same line, after the word "statement," to strike out "is;" and in line 15, after the word "affidavit," to insert the words "is willfully false;" so as to read:

That if any material statement made in any part of such petition or affidavit is willfully false the petitioner or petitioners shall be deemed guilty of perjury, and upon conviction thereof said license shall be revoked and said licensee shall be subject to the penalties provided by law for the crime of perjury.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Utah.

The amendment was agreed to.

Mr. CLAPP. Mr. President, the Senator from Indiana advises me that, either on the suggestion of the committee or otherwise, sections 10, 11, 12, 13, 14, 15, 16, 17, and 18 were stricken out.

Mr. BEVERIDGE. Yes; that is correct. The entire medical-practice provision as to the district of Alaska was stricken out.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. BEVERIDGE. I understand that the bill has been entirely read for committee amendments. Is that correct?

The VICE-PRESIDENT. The committee amendments have been disposed of.

Mr. BEVERIDGE. I thought so.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 5581) pensioning the surviving officers and enlisted men of the Texas volunteers employed in the defense of the frontier of that State against Mexican marauders and Indian depredations from 1855 to 1860, inclusive, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 21946) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 21897) to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, etc.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice-President:

S. 208. An act for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment;

S. 5581. An act pensioning the surviving officers and enlisted men of the Texas volunteers employed in the defense of the frontier of that State against Mexican marauders and Indian depredations from 1855 to 1860, inclusive, and for other purposes;

S. 5983. An act authorizing certain life-saving apparatus to be placed at the Farallone Islands, off the coast of California;

S. 6358. An act to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia";

H. R. 21946. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes;

H. R. 22212. An act granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Aleman; and

H. J. Res. 197. Joint resolution authorizing the employment of clerical services in the Department of Justice.

AMENDMENT OF NATIONAL BANKING LAWS.

Mr. OWEN. Mr. President, when the Senate two days since began the consideration of the currency bill, I stated on the floor of the Senate that I should feel constrained to give my vote for that measure if my vote were necessary to its passage,

but should emphasize my dissent for its defective and deficient character by an adverse vote. Since the debate has proceeded and the measure has been criticised with great severity upon the floor, I desire to explain in a few words the reasons that led me to make the statement that I should give my vote, if necessary, for the passage of that bill.

Mr. President, in 1900 I drew a provision for the prevention of panics, which was submitted on the floor of the Senate by the then leader of the Democratic Senators, Hon. James K. Jones, and which contained the essential principles which afterwards were embodied in the so-called "Aldrich bill," with the exception that the Aldrich bill provided for the issuance of national-bank notes instead of Treasury notes. Otherwise the principles are identical.

The Aldrich bill, like many of the recent reforms adopted by leaders of the Republican party, is therefore merely the adoption of principles already presented by Democrats.

This method of preventing panics is, however, only an adaptation of the method of the German Empire, by whose statutes the Imperial Bank of Germany is authorized to issue legal tender notes against other securities than gold, under an interest charge higher than the normal rate of interest, which, by that device, automatically provides the contraction of such emergency currency when the exigency requiring its issue no longer exists.

I have heretofore stated the reasons, with great precision and care, why I did not approve the form of the so-called "Aldrich bill." I shall not weary the Senate with a repetition of the criticisms which I then made upon the bill—I pointed out both its good features and its bad features—but when the bill itself has no defense upon the floor of the Senate, and when the bill is assailed without defense, I feel myself compelled to put in record the plain reason why I should have given it my support if my support had been absolutely necessary to make it a law.

The reason, in brief, is that the commerce of this country requires to be protected against panic; and, whatever may be said in criticism of the Aldrich bill or of the Vreeland-Aldrich bill, it does give some measure of protection against panic, and that suffices to justify its passage. It is not what it ought to be, but it is vastly better than no protection at all.

So far as the Vreeland section is concerned, while it has not been defended on this floor, I think it proper to call the attention of the country to this important proposition, that while the phrase "any securities" will indeed cover "railroad bonds and railroad stocks," still "railroad bonds and railroad stocks" are not the only security proposed, even by the Vreeland proposition, as a basis for the proposed emergency currency. In addition to the "railroad bonds and the railroad stocks," which may be included under the term "any securities," there lies behind the issue of such currency as security therefor the entire capital and surplus of a group of banks whose capital and surplus must aggregate at least \$5,000,000; and, in addition to that, if I correctly interpret the Vreeland proposition, it embraces the further security of every dollar of their assets, including their deposits.

Therefore the security for a currency issue under the Vreeland proposition is probably from five to one to ten to one, and I am not willing to allow this record remain without a word in defense of the Vreeland proposition upon this floor, since I myself would have voted for it if necessary, and this question shall not be made a subject of political controversy between the two great parties of this country if I can prevent it.

I am a Democrat, a life-long Democrat, and one of the great reasons why I favored a bill to prevent panics in this country was because the threat of a panic was twice invoked to defeat the man who, in my opinion, is one of the greatest living statesmen in the world—William J. Bryan.

I remember perfectly well when he was the nominee of his party in 1896 and in 1900 that those who had negotiable notes (and that means all the business men in the country) were threatened with a panic from one end of the country to the other, and many a life-long Democrat, because he feared a panic and because he dared not face the personal jeopardy which a panic would involve, voted the Republican ticket. I think probably the most valuable service which has been rendered to the pending candidacy of Bryan has been rendered to-day by the party in power, for with the fear of panic removed and with no threat of a panic available as a club over the heads of business men an impartial verdict may be rendered without the intimidation heretofore resorted to.

Mr. CLAPP. Mr. President—

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. OWEN. With great pleasure.

Mr. CLAPP. Would the Senator, in connection with his statement regarding this bill, make clear a matter which, it seems

to me, has been greatly confused in the discussion of the bill, namely, that when it comes to the bonds that are to be deposited with the Treasurer of the United States as the basis of a currency issue under what we call the Aldrich part of this bill, those bonds are specifically limited. Under no circumstances could railroad bonds be used for that purpose, and the only place in the bill where there is not a limitation upon the character of bonds, is where bonds, like any other collateral, may be a part of the additional security which is tendered in the creation of currency by the banking associations.

Mr. OWEN. I will reply to the Senator and say that that is entirely true and that the bonds to which he refers are simply additional security. The Vreeland provision for "any securities," of course would give the bonds as additional collateral for the issue of currency; and I call attention to the fact that even so far as these bonds are concerned as collateral security behind the paper held by the banks and put up with their associations as security, only 75 per cent of currency can be issued against such security. In addition to that, 10 per cent of the 75 per cent is to be held by the United States for redemption purposes, leaving a net 67½ per cent of currency issued against 100 per cent of collaterals approved first by the individual bank's board of management, then approved by the management of the associated banks, and finally by the Treasury itself. The security is abundant.

The reason I am opposed to the Vreeland proposition is because I do not approve the precedent of asset currency; because it is a cumbersome and awkward method; because it is a method which will be available only to a certain particular section of the country; because it is only available in the big cities, and not available throughout the country, which I think would be better. But it has seemed to be impossible to make this bill all that I thought it ought to have been. Of necessity it is a compromise bill. In my opinion, it ought to have been a bill which should have provided, first, for the issuance of Treasury notes directly, and not national-bank notes, so that such Treasury notes might have been issued to any bank, whether it was a national bank or whether it was a State bank or savings bank or trust company, which might put up securities of a proper quality and quantity so as to make the United States perfectly safe in the issuance of this emergency currency, and so as to diffuse the benefits of this currency to each and every bank, no matter how small and and no matter where located.

The little banks in Idaho and the little banks in Oklahoma ought to have been taken care of in this bill. As it is, the small banks will be taken care of, perhaps, by being able to get accommodations from the larger banks if a supply of emergency currency is afforded. But I do not believe in the theory of special privilege. I do not believe in giving the benefits of the provisions of this bill to special strong banks and compelling the smaller banks to rely on and pay for the protection of the favored ones. Its benefits should have been freely extended to the weaker elements of the community. I can not but feel, Mr. President, that the greatest weakness of the party at present trusted with power is its complete subservience to the forces of special privilege.

Mr. President, I rose merely for the purpose of explaining why I should have supported this measure if my vote had been necessary to enact it. It is better than no measure at all; it is a measure which will, in my judgment, measurably protect the country from panics, although it is badly drawn and very defective. Yet, it is a beginning, and can hereafter be perfected.

Mr. FLINT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from California?

Mr. OWEN. With pleasure.

Mr. FLINT. A few days ago the Senator from Oklahoma made a statement in reference to this same bill. I asked him at that time how this bill discriminated against the small banks, and he answered the question to my satisfaction. I desire to say at this time that if at the next session of this Congress he does not offer an amendment providing that clearing-house associations may be formed so as to include one State, no matter what the capitalization may be of the banks of that State, I shall do so.

Mr. OWEN. Mr. President, I think the Congress has made a great advance in providing a method for controlling panics, and that the patriotism and intelligence of this country will be easily able to perfect this measure so as to hereafter make it all that it should be.

Mr. FLINT. I simply want to make one further statement. The only discrimination that I can find from examination of the bill is not in the provision known as the "Aldrich bill," but in that part of it which is known as the "Vreeland bill."

Mr. OWEN. Now, Mr. President, I simply want to say a word more, and I am done. I do not think that it is a wise thing to confuse the counsels of the Senators in this Chamber by giving a partisan aspect to a great economic proposition. This is a very important bill to the country, and I believe it will be a very useful bill. I do not believe that it ought to be made a matter of controversy between the two great parties, because I call the attention of the country and of the opposition party to the fact that James K. Jones, then a Senator in this body, introduced into this Chamber such a proposition in 1900 which contained every element of value which this bill now contains. There ought to be no controversy on this subject between the two parties, except a generous rivalry as to which party can be most useful to our beloved Republic.

RECESS.

Mr. ALDRICH (at 8 o'clock and 55 minutes p. m.). I move that the Senate take a recess until half past 9 o'clock.

The motion was agreed to; and at the expiration of the recess (at 9 o'clock and 30 minutes p. m.) the Senate reassembled.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a concurrent resolution authorizing the President of the Senate and the Speaker of the House of Representatives to close the present session by adjourning their respective Houses on the calendar day, 30th of May, 1908, at 11 o'clock and 50 minutes p. m., and that a committee of three Members be appointed, to join a similar committee of the Senate, to wait upon the President of the United States and inform him that the two Houses had completed the business of the present session and are ready to adjourn.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

FINAL ADJOURNMENT.

Mr. HALE. I ask that the concurrent resolution from the House of Representatives fixing the time for final adjournment be laid before the Senate and referred to the Committee on Appropriations.

The VICE-PRESIDENT laid the concurrent resolution before the Senate, and it was referred to the Committee on Appropriations, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the calendar day 30th of May, 1908, at 11 o'clock and 50 minutes post meridian.

Resolved, That a committee of three Members be appointed by the Chair to join a similar committee to be appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn, unless the President has some other communication to make to them.

Mr. HALE, from the Committee on Appropriations, reported the foregoing resolution favorably without amendment, and it was considered by unanimous consent and agreed to.

NOTIFICATION TO THE PRESIDENT.

Mr. HALE submitted the following resolution, which was considered by unanimous consent and agreed to:

Resolved, That a committee of two Senators be appointed by the Vice-President, to join a similar committee appointed by the House of Representatives, to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some other communication to make to them.

The VICE-PRESIDENT appointed Mr. HALE and Mr. TELLER as the committee on the part of the Senate under the resolution.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3495) to authorize the transfer of books from the Treasury Department library to life-saving stations of the United States.

The message also announced that the Speaker had appointed as members of the National Monetary Commission on the part of the House, and in compliance with the provisions of section 17 of an act entitled "An act to amend the national

banking laws," approved May 30, 1908, Mr. VREELAND, Mr. OVERSTREET, Mr. BURTON of Ohio, Mr. WEEKS, Mr. BONYNGE, Mr. SMITH of California, Mr. PADGETT, Mr. BURGESS, and Mr. PUJO.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 3495) to authorize the transfer of books from the Treasury Department library to life-saving stations of the United States, and it was thereupon signed by the Vice-President.

RECESS.

Mr. HALE (at 9 o'clock and 32 minutes p. m.). I move that the Senate take a recess for one hour.

The motion was agreed to; and at the expiration of the recess (at 10 o'clock and 32 minutes p. m.) the Senate reassembled.

NOTIFICATION TO THE PRESIDENT.

Mr. HALE and Mr. TELLER, the committee appointed on the part of the Senate to wait upon the President of the United States, appeared, and

Mr. HALE said: Mr. President, the committee of the two Houses have waited upon the President, who has informed them that he has at present no further communication to make to Congress.

NATIONAL MONETARY COMMISSION.

The VICE-PRESIDENT appointed Mr. ALDRICH, Mr. ALLISON, Mr. BURROWS, Mr. HALE, Mr. KNOX, Mr. DANIEL, Mr. TELLER, Mr. MONEY, and Mr. BAILEY members on the part of the Senate of the National Monetary Commission, under section 17 of the act to amend the national banking laws.

RECESS.

Mr. HALE (at 10 o'clock and 34 minutes p. m.). I move that the Senate take a recess until half past 11 o'clock.

The motion was agreed to; and at the expiration of the recess (at 11 o'clock and 30 minutes p. m.) the Senate reassembled.

THE RAMIE INDUSTRY.

Mr. HEYBURN. I ask to have printed for the use of the Senate 500 additional copies of Senate Document No. 392, Fifty-ninth Congress, second session, being statements by S. H. Slaughter in behalf of the ramie industry and its promotion in the United States.

The VICE-PRESIDENT. Without objection, it is so ordered.

Mr. OWEN. I ask to have printed for the use of the Senate 500 additional copies, pages 1 to 40 inclusive, and 91 to 127 inclusive, of Senate Document No. 392, Fifty-ninth Congress, second session, being a statement on the ramie industry, in order to make it correspond with document No. 392, which has just been ordered printed. There are some pages missing from an issue of 500 copies, and I should like to have the additional pages printed in order to make the number complete, if there be no objection.

The VICE-PRESIDENT. Without objection, it is so ordered.

STATEMENTS OF APPROPRIATIONS AND EXPENDITURES.

Mr. HALE. Mr. President, in the absence of the Senator from Iowa [Mr. ALLISON], I present to the Senate very carefully prepared statements of appropriations and expenditures for the fiscal year ending July 1, 1909. These statements, covering all of the appropriations and expenditures for that year, present what will be an interesting study to any person who will carefully examine them. They are compared with the corresponding appropriations and expenditures for the previous year, and they demonstrate the great and, I might say, alarming increase of the expenditures of the National Government as contrasted with the preceding year.

I do not propose at this late hour to take up the time of the Senate in descending upon the statements and figures and the lesson which they have for anyone who gives them proper examination. We shall know better when Congress assembles again in December how these great appropriations from the Treasury answer to the receipts from which they must be paid, and we can then better than now take a view of the future as to any danger which we may be found running into with extravagant appropriations and dwindling revenues.

It is not a picturesque subject, and it is hard to bring the public mind and public attention and the attention and interest of Congress to it, compared with other more attractive subjects, but some day such figures as I now present, when submitted in the future, will awaken an interest that I hope will result in some halt being called in the enormous expenditures that are being made year after year by Congress.

I ask that the statements with the brief remarks which I have made be printed as a document and that the statements also be printed in the Record.

The VICE-PRESIDENT. Without objection, permission is granted.

The statements are as follows:

APPROPRIATIONS.

Total appropriations, Sixtieth Congress, first session	\$1,008,804,894.57
Deduct from this amount deficiency appropriations payable during the fiscal year 1908	\$44,500,000.00
Deduct items in appropriations which will require no expenditures from the Treasury for the fiscal year 1909, as follows:	
Sinking fund	58,000,000.00
National bank note redemption fund	25,000,000.00
Amounts for Panama Canal payable from the proceeds of sale of bonds	29,187,000.00
	156,687,000.00

Total amount of appropriations which will be payable from the Treasury for the fiscal year 1909	\$52,117,894.57
Total estimated revenues for 1909	\$78,123,011.30
Estimated revenues exceed appropriations required to be paid from the Treasury for fiscal year 1909	26,005,116.73
Total appropriations for fiscal year 1908	\$20,798,143.00
Increase of total appropriations 1909 over 1908	\$8,006,750.77

The principal increases in amounts of appropriations as passed at this session over last session are as follows:

Agriculture	\$2,224,816.00
Army	16,747,664.86
Diplomatic and consular	485,130.19
Fortification	2,419,134.00
Legislative	707,487.20
Navy	23,708,977.97
Pensions	26,910,000.00
Post-Office	10,871,199.00
Panama Canal (net)	14,200,000.00
Public buildings act	12,466,750.00
Arming and equipping the militia	2,000,000.00

A decrease of \$37,100,000 is made by the omission of a river and harbor bill at this session.

Comparison of appropriations, fiscal years 1908 and 1909.

Title of bill.	Fiscal year 1908.	Fiscal year 1909.	Increase 1909 over 1908.	Decrease 1909 under 1908.
Agriculture	\$9,447,290.00	\$11,672,106.00	\$2,224,816.00	
Army	78,634,582.75	95,382,247.61	16,747,664.86	
Diplomatic and consular	3,092,333.72	3,577,463.91	485,130.19	
District of Columbia	10,440,598.63	10,117,668.85		\$322,929.78
Fortification	6,898,011.00	9,317,145.00	2,419,134.00	
Indian	10,125,076.15	9,253,347.87		\$871,728.28
Legislative, etc.	32,126,333.80	32,833,821.00	707,487.20	
Military Academy	1,929,703.42	845,634.87		1,084,068.55
Navy	98,958,507.50	122,662,485.47	23,708,977.97	
Pension	146,143,000.00	163,053,000.00	16,910,000.00	
Post-office	212,091,193.00	222,962,392.00	10,871,199.00	
River and harbor	37,108,083.00			37,108,083.00
Sundry civil	110,769,211.30	112,937,313.22	2,168,101.92	
Total	757,763,924.27	794,614,625.80	36,850,701.53	
Deficiencies, 1908 and prior years	12,408,998.91	34,569,223.65	22,160,224.74	
Public buildings, to carry out public buildings act, 1909		12,426,750.00	12,426,750.00	
Pension deficiency, 1908		10,000,000.00	10,000,000.00	
Total	770,172,923.18	851,610,599.45	80,537,676.27	
Miscellaneous	738,900.62	3,000,000.00	2,261,099.38	
Total, regular annual appropriations	770,911,823.80	854,610,599.45	80,537,676.27	
Permanent annual appropriations	149,886,320.00	154,194,295.12	4,307,975.12	
Grand total, regular and permanent annual appropriations	920,798,143.80	1,008,804,894.57	88,006,750.77	

History of appropriation bills, first session of the Sixtieth Congress: estimates and appropriations for the fiscal year 1908-9, and appropriations for the fiscal year 1907-8.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates, 1909.	Reported to the House.	Passed the House.	Reported to the Senate.	Passed the Senate.	Law, 1908-9.	Law, 1907-8.
Agriculture	\$10,666,351.00	\$11,431,346.00	\$11,508,806.00	\$11,642,146.00	\$12,152,406.00	\$11,672,106.00	\$9,447,290.00
Army	89,755,833.75	85,007,566.56	84,207,566.56	98,820,409.12	98,840,409.12	95,382,247.61	78,634,582.75
Diplomatic and consular	3,060,320.91	3,508,963.91	3,508,963.91	3,967,805.91	3,597,230.91	3,577,463.91	3,092,333.72
District of Columbia ^a	13,798,126.35	9,501,449.35	9,500,499.35	11,494,887.35	11,575,513.85	10,117,668.85	10,440,598.63
Fortification	38,443,945.36	8,210,611.00	8,210,611.00	11,510,187.01	12,116,187.01	9,317,145.00	6,898,011.00
Indian	8,219,272.87	8,020,597.87	8,179,097.87	9,904,920.93	10,532,826.87	9,253,347.87	10,125,076.15
Legislative, etc.	35,040,066.13	32,336,573.00	32,302,913.00	32,945,631.00	32,965,631.00	32,833,821.00	32,126,333.80
Military Academy	977,087.87	825,837.87	825,837.87	914,967.37	914,867.37	845,634.87	1,929,703.42
Navy	125,791,349.80	103,967,518.43	105,405,768.43	112,984,799.88	122,115,659.88	122,662,485.47	98,958,507.50
Pension	151,043,000.00	150,869,000.00	150,869,000.00	163,053,000.00	163,053,000.00	163,053,000.00	146,143,000.00
Post-Office ^b	230,441,016.00	229,765,392.00	222,355,892.00	229,027,367.00	229,706,367.00	222,962,392.00	212,091,193.00
River and harbor	(^c)					(^d)	^e 37,108,083.00
Sundry civil	\$134,618,623.80	105,715,369.48	106,972,864.98	118,032,263.22	118,791,275.72	\$112,937,313.22	\$110,769,211.30
Total	842,754,993.84	740,220,225.47	743,907,820.97	804,298,384.79	817,361,374.73	794,614,625.80	757,763,924.27
Urgent deficiency, 1908 and prior years		24,074,450.26	23,725,188.25	24,083,267.12	24,083,500.48	\$24,050,125.48	
Additional urgent deficiency, 1908 and prior years	\$47,000,000.00	2,025,500.00	2,110,500.00	2,163,000.00	2,163,000.00	2,163,000.00	
Deficiency, 1908 and prior years		17,342,572.89	17,344,322.89	18,374,811.43	18,385,316.88	\$30,782,848.17	
Total	899,754,993.84	783,662,748.62	787,087,832.11	848,919,463.34	861,993,192.00	851,610,599.45	770,172,923.18
Miscellaneous	\$25,500,000.00					\$3,000,000.00	738,900.62
Total, regular annual appropriations	925,254,993.84					854,610,599.45	770,911,823.80
Permanent annual appropriations	\$154,194,295.12					\$154,194,295.12	149,886,320.00
Grand total, regular and permanent annual appropriations	1,079,449,288.96					1,008,804,894.57	\$920,798,143.80

Amount of estimated revenues for fiscal year 1909. \$658,000,000.00
 Amount of estimated postal revenues for fiscal year 1909. 220,123,011.30

Total of estimated revenues for fiscal year 1909.

\$78,123,011.30

^a One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1909 at \$130,890), which are payable from the revenues of the water department.

^b Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

^c No amount is estimated for rivers and harbors for 1909 except the sum of \$27,142,744 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1909.

^d No river and harbor act passed for 1909.

^e In addition to this amount the sum of \$6,392,730 is appropriated to the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1908.

^f This amount includes \$27,142,744 to carry out contracts authorized by law for river and harbor improvements and \$33,183,143.00 for construction of the Isthmian Canal for 1909.

^g This amount includes \$17,806,645 to carry out contracts authorized by law for river and harbor improvements and \$29,187,000 for construction of the Isthmian Canal for 1909.

^h This amount includes \$6,392,730 to carry out contracts authorized by law for river and harbor improvements and \$27,161,367.50 for construction of the Isthmian Canal for 1908.

ⁱ This amount is approximated. Under Deficiency Estimates there is included \$12,466,750 for public buildings under the new public-buildings act.

^j This amount includes \$12,178,900 for construction of the Isthmian Canal.

^k This amount includes \$10,000,000 for payment of pensions and \$12,466,750 for construction of public buildings under the new public-buildings act.

^l This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1909, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year. This amount includes estimated amount of \$58,000,000 to meet sinking-fund obligations for 1909 and \$25,000,000 estimated redemption of national bank notes in 1909 out of deposits by banks for that purpose.

^m In addition to this amount, contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the naval act \$15,750,000; by the river and harbor act, \$40,829,349; by the sundry civil act, \$2,355,000; in all, \$57,934,349.

Statement of appropriations fiscal years 1907, 1908, and 1909.

	Fiscal year 1907.	Fiscal year 1908.	Fiscal year 1909.
Agriculture.....	\$9,030,440.00	\$9,447,290.00	\$11,672,106.00
Army.....	71,817,165.08	78,634,582.75	95,882,247.61
Diplomatic and consular.....	3,091,094.17	3,092,853.72	3,577,403.91
District of Columbia.....	10,138,672.16	10,440,598.63	10,117,668.85
Fortification.....	5,033,938.00	6,898,011.00	9,317,145.00
Indian.....	9,200,599.98	10,125,076.15	9,253,347.87
Legislative, etc.....	29,681,919.30	32,126,333.80	32,833,821.00
Military Academy.....	1,664,707.67	1,929,703.42	845,634.87
Navy.....	102,091,670.27	98,958,507.50	122,662,485.47
Pension.....	140,245,500.00	140,143,000.00	163,053,000.00
Post-Office.....	191,695,938.75	212,091,193.00	222,962,392.00
River and harbor.....		37,108,083.00	
Sundry civil.....	98,539,770.32	110,769,211.30	112,937,813.22
Total.....	673,210,530.70	757,763,924.27	794,614,625.80
Deficiency, 1908, and prior years.....	39,129,035.45	12,408,998.91	50,935,973.65
Total.....	712,339,566.15	770,172,923.18	851,610,599.45
Miscellaneous.....	27,173,239.01	738,900.62	3,000,000.00
Total, regular annual ap- propriations.....	739,512,805.16	770,911,823.80	854,610,599.45
Permanent annual appropria- tions.....	140,076,820.00	149,886,320.00	154,194,295.12
Grand total, regular and permanent annual appropria- tions.....	879,589,625.16	920,798,143.80	1,008,804,894.57

EXECUTIVE SESSION.

Mr. KEAN. Mr. President, it is necessary to have a brief executive session. I dislike very much to disturb the occupants of the galleries, but it is necessary to have such a session. I therefore move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

THANKS TO THE VICE-PRESIDENT.

Mr. CULBERSON. Mr. President, it affords me much pleasure to present at this time the resolution which I send to the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from Texas offers the following resolution, for which he asks present consideration. The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That the thanks of the Senate are hereby tendered to Hon. CHARLES W. FAIRBANKS, Vice-President of the United States and President of the Senate, for the dignified, impartial, and courteous manner in which he has presided over its deliberations during the present session.

The PRESIDING OFFICER. The question is on the adoption of the resolution which has been read by the Secretary. The resolution was unanimously agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. M. C. LATTA, one of his secretaries, announced that the President had approved and signed the following joint resolution and acts:

On May 29:

S. R. 6. Joint resolution directing the selection of a site and the erection of a pedestal for a bronze statue in Washington, D. C., in honor of John Witherspoon;

S. 6163. An act to authorize the Secretary of the Interior to sell and dispose of the surplus unallotted agricultural lands of the Spokane Indian Reservation, Wash., and for other purposes;

S. 1385. An act to authorize the sale and disposition of a portion of the surplus and unallotted lands in the Cheyenne River and Standing Rock Indian reservations in the States of South Dakota and North Dakota, and making appropriation and provision to carry the same into effect;

S. 6190. An act authorizing a resurvey of certain townships in the State of Wyoming, and for other purposes;

S. 2295. An act to extend the time within which the Washington and Western Maryland Railroad Company shall be required to complete the road of said company, under the provisions of an act of Congress approved March 2, 1889, as amended by an act of Congress approved June 28, 1906; and

S. 6200. An act granting certain rights of way and providing for certain exchanges of the same.

On May 30:

S. 642. An act to establish an assay office at Salt Lake City, State of Utah;

S. 3405. An act to amend an act to authorize the Baltimore and Washington Transit Company, of Maryland, to enter the District of Columbia, approved June 8, 1896;

S. 208. An act for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation,

in the State of Montana, and the sale and disposal of all the surplus lands after allotment;

S. 5581. An act pensioning the surviving officers and enlisted men of the Texas volunteers employed in the defense of the frontier of that State against Mexican marauders and Indian depredations from 1855 to 1860, inclusive, and for other purposes;

S. 5983. An act authorizing certain life-saving apparatus to be placed at the Farallone Islands, off the coast of California; and

S. 6358. An act to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia."

ADDRESS OF THE VICE-PRESIDENT.

The VICE-PRESIDENT having resumed the chair and the hour of 11 o'clock and 50 minutes p. m. having arrived,

The VICE-PRESIDENT. Senators, I am unable adequately to express the full measure of my appreciation of the resolution which you have been pleased to adopt. I thank you for it and shall always hold it in grateful remembrance.

Permit me to congratulate the members upon both sides of the Chamber upon their devotion to the important work which has engaged the attention of the Senate during the session now closing. No one knows better than the Chair with what singleness of purpose and ability they have addressed themselves to the important public business. Much of the work which has been done has been beyond the reach of the public eye. It has been done in the committee room and in executive session, but whether it has been done in the open Senate with the entire country as witness, or in the unreported executive session, or in the committee room, it has been done with tireless zeal and conscientious fidelity. Many important measures have been debated with that power, fairness, and dignity which should always be observed among the nation's lawmakers and which should always be maintained in this great forum.

You have well earned the commendation of the people by your fulfillment of the oath you solemnly took well and faithfully to discharge the duties of your office. It is a reassuring fact that the nation's lawmakers are as able, patriotic, and worthy of the popular confidence to-day as they have been at any time since our fathers created the Congress as one of the three coordinate departments of the Government.

I trust that good fortune may attend you, and that you may return to the discharge of your important work at the ensuing session.

Pursuant to the terms of the concurrent resolution, the Chair now declares the Senate adjourned without day. [Applause on the floor and in the galleries.]

HOUSE OF REPRESENTATIVES.

SATURDAY, May 30, 1908.

[Continuation of legislative day of Tuesday, May 12, 1908.]

The recess having expired, the House was called to order by the Speaker at 11 o'clock a. m.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had disagreed to the amendment of the House of Representatives to the amendment of the Senate to the bill (H. R. 13851) providing for the purchase of a site and the erection of a new immigration station thereon at the city of Boston, Mass., had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. DILLINGHAM, Mr. LODGE, and Mr. McLAURIN as the conferees on the part of the Senate.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois reported from the Committee on Enrolled Bills that this day they presented to the President of the United States, for his approval, the following bills:

H. R. 19795. An act to promote the safety of employees on railroads;

H. R. 11778. An act to amend an act approved June 11, 1906, entitled "An act to provide for the entry of agricultural lands within forest reserves;"

H. R. 19462. An act to amend section 5438 of the Revised Statutes;

H. R. 17228. An act to promote the safe transportation in interstate commerce of explosives and other dangerous articles, and to provide penalties for its violation;

H. R. 16757. An act for the incorporation of the Brotherhood of St. Andrew; and

H. R. 22029. An act to incorporate the Congressional Club.

CLERICAL SERVICES IN THE DEPARTMENT OF JUSTICE.

Mr. TAWNEY. Mr. Speaker, I offer the following joint resolution, and move to suspend the rules and pass the resolution.

The SPEAKER. The gentleman from Minnesota moves to

suspend the rules and pass the joint resolution, which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 197) authorizing the employment of clerical services in the Department of Justice.

Resolved, etc., That the Attorney-General is authorized to continue the employment of clerical services during the fiscal year 1909 under the appropriation for "Defense in Indian depredation claims," and to pay therefor out of said appropriation not to exceed the sum of \$6,000.

Mr. FITZGERALD. I demand a second.

The SPEAKER. Under the rule, a second is ordered. The gentleman from Minnesota [Mr. TAWNEY] is entitled to twenty minutes, and the gentleman from New York [Mr. FITZGERALD] is entitled to twenty minutes.

Mr. TAWNEY. Mr. Speaker, the joint resolution which I have just offered is made necessary because in submitting the estimates at this session of Congress for specific appropriations for the clerical services for the various bureaus of the Department of Justice, which service was heretofore paid out of a lump sum for that Department, they neglected to submit specific estimates for a law clerk, stenographer, and another clerk in the bureau known as "Defense of Indian depredation claims." Unless this authority is given for a continuation of the services of these three employees in that bureau, their services will have to be dispensed with, and they are very necessary. In fact, it may materially delay the progress of the work if the officer in charge of the defense of Indian depredation claims can not avail himself of their services during the next fiscal year. It is absolutely essential—

Mr. CRUMPACKER. Will the gentleman answer a question? The resolution describes the services as "personal" services. I want to inquire of the gentleman if that description is appropriate?

Mr. TAWNEY. That is the term that has always been used in the lump sum for "personal" services in that bureau.

Mr. CRUMPACKER. It may be regarded, of course, as distinct from official services. It is a very peculiar way to authorize an expenditure of money, it seems to me. It ought to be described as "official" or "clerical" services. I think that the resolution ought to be amended in that way.

Mr. TAWNEY. Mr. Speaker, if there is any question about the word "personal," I would ask unanimous consent to change the word to that of "clerical." I do not think it is necessary.

Mr. MANN. Will the gentleman yield to a question? I did not hear the whole statement of the gentleman; but why is this not carried in the appropriation bill? There is no appropriation in this resolution.

Mr. TAWNEY. There is no appropriation for these services.

Mr. MANN. The money is appropriated; why can not they expend it?

Mr. TAWNEY. Because they are not authorized to expend it for this purpose.

Mr. MANN. For what purpose are they authorized to expend it?

Mr. TAWNEY. They are authorized to expend the appropriation for services outside of the city of Washington. They are not authorized to expend any, at least, of this appropriation here at Washington. They have heretofore been authorized to do it, but the Committee on Appropriations inserted in the legislative appropriation bill a year ago a provision requiring the Department of Justice to submit detailed estimates for all clerical services employed here in Washington paid out of this lump-sum appropriation. That was done. They submitted their estimates, but they entirely omitted the clerical services referred to in this joint resolution, heretofore and now employed in this particular bureau. Why it was done I do not know. The gentleman in charge of this work says he did not know it until yesterday.

Mr. MANN. How many more people are employed in the Department of Justice where no record has been made in transmitting the information to Congress?

Mr. TAWNEY. These are the only ones I know anything about. How many more will turn up by the 1st of July, as a result of the neglect to send in the detailed estimates, I do not know.

Mr. MANN. Here is a lump sum appropriated to pay expenses. They discover that it is not available for this service. But they did not include provision for the service in the estimates. I presume there are a great many other people up there in whose cases they have not complied with the requirements of the law in presenting detailed estimates. Give a chance to ascertain who they are.

Mr. TAWNEY. I do not think there are any other cases where they were required to submit detailed estimates where the estimates were not submitted.

Mr. MANN. Were they not required to submit detailed estimates of everything?

Mr. TAWNEY. Yes, sir; and they have done that with this exception.

Mr. MANN. They get a lump-sum appropriation and expend the money.

Mr. TAWNEY. But out of it they can not spend a dollar for clerical services in the city of Washington.

Mr. MANN. That is what is done in this case.

Mr. TAWNEY. That is so.

Mr. MANN. Suppose this resolution should not be passed—

Mr. TAWNEY. Oh, well, I hope the gentleman will not compel me to use all of my time.

Mr. STEPHENS of Texas. Do I understand that the matter is with reference to the payment of Indian depredation claims?

Mr. TAWNEY. It is for the clerical expense here at Washington of defending these Indian depredation claims.

Mr. STEPHENS of Texas. Is not that covered in the general appropriation for carrying on the Department of Justice?

Mr. TAWNEY. No; it is specifically appropriated for.

Mr. STEPHENS of Texas. Then these men have been performing the duty under existing law, and will have to continue to do so, because I know personally that a great many suits are pending now under the old law, and it is necessary that the Government be represented. They have able attorneys, and, I think, they ought to be paid.

Mr. TAWNEY. They have an assistant attorney in charge of the work, and then he has a law clerk, who assists in briefing these cases. He has a stenographer and another clerk, and these are not provided for for the next fiscal year. This joint resolution is for the purpose of taking care of that service for the next fiscal year.

Mr. STEPHENS of Texas. I see no reason why it should not be done.

Mr. MANN. Is this for clerical service?

Mr. TAWNEY. Clerical and other service.

Mr. HACKNEY. I should like to ask the gentleman whether he has any information as to the amount of work that is now being done by these clerks whom he speaks of?

Mr. TAWNEY. I have. They are working under the Assistant Attorney-General, Mr. Thompson, who, I think, is known to most of the gentlemen here. They are all employed and their employment is absolutely necessary.

Mr. HACKNEY. Is it not a fact that the Indian depredation claims that are now pending have been filed for a number of years? Is there any way of telling when we will get through with these claims that have been filed there?

Mr. TAWNEY. I do not know that there is.

Mr. STEPHENS of Texas. These suits have been pending for several years and have been continued because the court could not reach them. A great deal of evidence has to be taken. That evidence is all in the West, in the possession of old persons who have to be hunted up, and the Government has sent these assistant attorneys to various points in my State and all over these various States and Territories to take depositions of witnesses, in order to ascertain the facts and defend the case of the Government.

Mr. HACKNEY. That was true when the claims were filed a good many years ago, but it seems to me there ought to be some limit to this expense.

Mr. TAWNEY. The work of collecting the evidence in cases of this kind involves a great deal of time as well as labor. The witnesses are scattered all over the West, and the testimony must be taken, and it can only be taken by visiting those people who are supposed to be in possession of evidence. That is the way in which it is collected.

Mr. HACKNEY. I do not understand that this appropriation is to pay men in the field for looking up evidence.

Mr. TAWNEY. That is in the general appropriation.

Mr. HACKNEY. I have my doubts as to the necessity for so much clerical force right here in Washington.

Mr. TAWNEY. If the gentleman has not investigated it, I can not see upon what his doubts rest.

Mr. HACKNEY. That came up in the hearings on the effort to amend the law so as to broaden its scope and take in other claims.

Mr. STEPHENS of Texas. The work to be done consists in briefing cases and hunting up cases and also the law.

Mr. DOUGLAS. What is the nature of these claims?

Mr. STEPHENS of Texas. When Indians situated on the reservations break away from the reservations and depredate upon private property, the Government, by an act of Congress, permits citizens who have been damaged to sue the General Government and recover.

Mr. DOUGLAS. The Government pays for the depredations of these drunken Indians?

Mr. STEPHENS of Texas. It pays for the depredations of these Indians.

Mr. CRUMPACKER. The payment is made out of the fund belonging to the Indians, however.

Mr. FITZGERALD. Mr. Speaker, this is a very important resolution. Unless it be passed two or three employees of the Government will be separated from the pay roll, and of course that would be a dire calamity at this time of year, when they are preparing to take advantage of the thirty days' leave provision of the statute. It is awful to contemplate separating anybody from the pay roll under this Administration. It would be so contrary to the whole record of the Administration that it would be a shock to the sensibilities of everyone. I am surprised that Members of the House should seriously discuss the necessity of having these employees. They are on the pay roll now, and they should continue there, no matter what else happens. Of course it is true we could devote the time we now devote to taking care of two or three employees who may or may not be necessary to the consideration of important legislation for the people of the country. If I had any hope that half a dozen bills which I should like to see considered could be called up I should not occupy the time of the House on this matter; but I fear that when we conclude the consideration of this resolution somebody will be aroused to suggest that we take a recess, thereby depriving the people and the people's representatives of an opportunity to have considered proper legislation in the interests of the whole people. Here we must devote eighty minutes to the important task of preventing three employees from being separated from the pay roll. Everybody who has examined this joint resolution and inquired into the reasons for its necessity knows that if it were not for the fact that the Attorney-General has been so busy suppressing all the bad trusts in the United States there would be no necessity for the resolution. He would in that event have complied with the direction of Congress and submitted estimates in detail for the complete service of his Department; but this particular bureau was of so little importance in the estimation of the Attorney-General that he entirely overlooked it, never called on the head of the bureau to submit estimates, and Congress passed all of the appropriations bills without making provision for this important bureau in his Department!

Of course if there had been one more bad trust to suppress, it is entirely possible that he would have forgotten to submit an estimate for his own salary, even. Fortunately that contingency did not arise, and it will be gratifying to everyone to know that the estimates for the salaries of all of the assistants to the Attorney-General were regularly submitted and fully provided by the Congress. These few unfortunate clerks who have some of the important work in the Department to do—though so unimportant in the estimation of the Attorney-General as to be even not thought about—have been omitted. Mr. Speaker, I hope that everybody will vote for this resolution and prevent this atrocious situation occurring under this Administration, that through the oversight of one of the Cabinet officials, or of somebody delegated to do his work, some two or three officials important from the public standpoint, but unimportant from the official standpoint, should be dropped unceremoniously from the pay roll. That never should happen at this time.

Mr. DOUGLAS. Mr. Speaker, is it possible that the gentleman is facetious on so serious a subject as this?

Mr. FITZGERALD. Oh, never so serious in my life. My recollection of the investigation of this bureau is to this effect: That if these clerks be not kept at work in this bureau, the energy, the ingenuity, the avarice of these claimants in the so-called "Indian depredation cases" would soon empty the Treasury. Of course it is immaterial now, because the Treasury is empty anyway [laughter]; but some time or other, when a Democratic Administration comes into power, there will be plenty of money in the Treasury. I hope I have made clear to everybody in the United States the importance and necessity of having this resolution passed and of keeping these three employees on the pay roll.

Mr. MADDEN. How long does the gentleman think the money would stay in the Treasury after the Democrats came into power?

Mr. BURLISON. Oh, we never find any in when we first come in. [Laughter.]

Mr. FITZGERALD. Oh, the money will be there for the whole people and it will not be squandered on unimportant matters or wasted helping special interests. [Applause on the Democratic side.] It will be appropriated properly under the Constitution to maintain economically the Government and to advance the interests of all the people. That is what a Democratic government means and that is the kind of an administration the Democrats always give [applause on the Democratic side]—much different from the reckless, extravagant, spasmodic, sporadic—if I had a dictionary I would go on indefinitely—administration of affairs which we get under the present régime. ■

Mr. Speaker, I see that the gentlemen about me have become deeply impressed with the importance of this resolution. [Applause.] There may be some others who desire to obtrude some observations as to the propriety and necessity of retaining these employees. If so, I shall reluctantly yield some time, but if not, and upon the assurance of the Speaker that if this be out of the way, we may be able to consider some other really great and meritorious measure, something that will result in good to the whole country, I shall not be inclined to occupy further time—although I know it would be very enlightening to Members, particularly on the other side of the House. However, if the House feels ready to vote, and there be no Member here yet unconvinced, I am prepared to surrender the balance of my time and to take a vote; and in order that there may be no question that every Member in the House is convinced of the propriety and advisability of quickly passing this resolution, I hope everybody will be recorded in the Journal on a roll call, and everybody recorded as in favor of this much-needed legislation. [Applause.]

Mr. TAWNEY. Mr. Speaker, I call for a vote.

Mr. WILLIAMS. Mr. Speaker, let us have the yeas and nays. The SPEAKER. The gentleman from Mississippi demands the yeas and nays.

Mr. FITZGERALD. Mr. Speaker, I think we should have a quorum when we are passing this important resolution, and I would respectfully suggest the absence of a quorum.

The SPEAKER. The gentleman from New York makes the point of order that there is not a quorum present. The point of order is sustained. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absent Members. As many as favor the motion will, when their names are called, answer "aye;" as many as are opposed will answer "no," and those present and not voting will answer "present;" and the Clerk will call the roll.

The question was taken, and there were—yeas 163, nays 31, answered "present" 15, not voting 179, as follows:

YEAS—163.

Adair	Dalzell	Howard	Overstreet
Adamson	Davenport	Howell, N. J.	Parker, S. Dak.
Alken	Dawson	Howell, Utah	Payne
Alexander, Mo.	De Armond	Howland	Pollard
Alexander, N. Y.	Douglas	Hubbard, W. Va.	Porter
Bannon	Driscoll	Humphrey, Wash.	Pray
Barclay	Dwight	Humphreys, Miss.	Reynolds
Bartholdt	Edwards, Ky.	Jones, Wash.	Rodenberg
Bates	Ellis, Mo.	Kahn	Rothermel
Beale, Pa.	Ellis, Oreg.	Kelfer	Russell, Tex.
Beall, Tex.	Fassett	Kennedy, Iowa	Ryan
Bede	Ferris	Knapp	Scott
Bell, Ga.	Finley	Langley	Slayden
Bennett, Ky.	Fitzgerald	Laning	Smith, Cal.
Bonyne	Fordney	Lindbergh	Smith, Iowa
Boutell	Foster, Ind.	Lloyd	Smith, Mich.
Bowers	Fowler	Longworth	Snapp
Boyd	French	Loud	Spight
Burgess	Gaines, W. Va.	Loudenslager	Stephens, Tex.
Burke	Gardner, N. J.	Loving	Stevens, Minn.
Burleigh	Garner	Lowden	Sturgiss
Burleson	Gilhams	McCreary	Tawney
Burnett	Gillespie	McHenry	Taylor, Ohio
Burton, Del.	Goulden	McKinley, Ill.	Thistlewood
Burton, Ohio	Graham	McKinney	Tirrell
Butler	Granger	McLain	Tou Velle
Calderhead	Gregg	McLaughlin, Mich.	Volstead
Caldwell	Haggott	Macon	Vreeland
Campbell	Hale	Madison	Waldo
Candler	Hall	Mann	Wanger
Capron	Hamill	Maynard	Washburn
Cary	Hamilton, Mich.	Mondell	Weeks
Caulfield	Harding	Moore, Tenn.	Weems
Chapman	Haugen	Moore, Tex.	Wheeler
Cocks, N. Y.	Hawley	Morse	Williams
Cole	Hayes	Murdock	Wilson, Ill.
Cook, Colo.	Hedlin	Needham	Wilson, Pa.
Cooper, Pa.	Henry, Tex.	Nicholls	Wood
Cooper, Tex.	Hepburn	Norris	Young
Crumpacker	Hill, Conn.	Nye	The Speaker
Cushman	Holliday	Olcott	

NAYS—31.

Ansberry	Floyd	Hitchcock	Rauch
Booher	Fulton	Houston	Richardson
Clark, Mo.	Garrett	Hull, Tenn.	Russell, Mo.
Clayton	Gordon	Johnson, Ky.	Sims
Cox, Ind.	Hackett	Jones, Va.	Sparkman
Craig	Hackney	Page	Thomas, N. C.
Dixon	Hamlin	Rainey	Underwood
Ellerbe	Hammond	Randall, Tex.	

ANSWERED "PRESENT"—15.

Bennet, N. Y.	Hardy	Madden	Riordan
Cousins	Henry, Conn.	Murphy	Sheppard
Flood	Kimball	Padgett	Webb
Foster, Ill.	Lever	Parker, N. J.	

NOT VOTING—179.

Acheson	Barchfeld	Brantley	Byrd
Allen	Bartlett, Ga.	Brodhead	Calder
Ames	Bartlett, Nev.	Broussard	Carlin
Andrus	Bingham	Brownlow	Carter
Anthony	Birdsall	Brumm	Chaney
Ashbrook	Bradley	Brundidge	Clark, Fla.

Cockran	Graff	Law	Pujo
Conner	Greene	Lawrence	Ransdell, La.
Cook, Pa.	Griggs	Leake	Reeder
Cooper, Wis.	Gronna	Lee	Reld
Coudrey	Hamilton, Iowa	Legare	Rhinock
Cravens	Hardwick	Lenahan	Roberts
Crawford	Harrison	Lewis	Robinson
Currier	Haskins	Lilley	Rucker
Darragh	Hay	Lindsay	Sabath
Davey, La.	Helm	Littlefield	Saunders
Davidson	Higgins	Livingston	Shackleford
Davis, M'n.	Hill, Miss.	Lorimer	Sherley
Dawes	Hinshaw	McCall	Sherman
Denby	Hobson	McDermott	Sherwood
Denver	Hubbard, Iowa	McGavin	Siemp
Diekema	Huff	McGuire	Small
Draper	Hughes, N. J.	McKinlay, Cal.	Smith, Mo.
Dunwell	Hughes, W. Va.	McLachlan, Cal.	Smith, Tex.
Durey	Hull, Iowa	McMillan	Southwick
Edwards, Ga.	Jackson	McMorran	Sperry
Englebright	James, Addison D.	Malby	Stafford
Esch	James, Ollie M.	Marshall	Stanley
Fairchild	Jenkins	Miller	Steenerson
Favrot	Johnson, S. C.	Moon, Pa.	Sterling
Focht	Keliber	Moore, Pa.	Sullivan
Fornes	Kennedy, Ohio	Mouser	Sulzer
Foss	Kinkaid	Mudd	Talbot
Foster, Vt.	Kipp	Nelson	Taylor, Ala.
Foulkrod	Kitchin, Claude	O'Connell	Thomas, Ohio
Fuller	Kitchin, Wm. W.	Olmsted	Townsend
Gaines, Tenn.	Knopf	Parsons	Wallace
Gardner, Mass.	Knowland	Patterson	Watkins
Gardner, Mich.	Küstermann	Pearre	Watson
Gill	Lafean	Perkins	Weisse
Gillett	Lamar, Fla.	Peters	Wiley
Glass	Lamar, Mo.	Pou	Willett
Godwin	Lamb	Powers	Wolf
Goebel	Landis	Pratt	Woodyard
Goldfogle	Lassiter	Prince	

So the joint resolution was agreed to.

The Clerk announced the following pairs:

Until 2 o'clock:

Mr. ESCH with Mr. MURPHY.

For the day:

Mr. HENRY of Connecticut with Mr. CRAWFORD.

Until Monday morning:

Mr. LAFEAN with Mr. KIPP.

Until Monday:

Mr. CALDER with Mr. LINDSAY.

Until further notice:

Mr. POWERS with Mr. PRATT.

Mr. MADDEN with Mr. HARDWICK.

Mr. TOWNSEND with Mr. SHACKLEFORD.

Mr. BROWNLOW with Mr. BRUNDIDGE.

Mr. LANDIS with Mr. DIXON.

Mr. MOUSER with Mr. SHERWOOD.

Mr. SPERRY with Mr. HARRISON.

Mr. FAIRCHILD with Mr. ROBINSON.

Mr. KÜSTERMANN with Mr. LEAKE.

Mr. DRAPER with Mr. EDWARDS of Georgia.

Mr. HUGHES of West Virginia with Mr. HILL of Mississippi.

Mr. ACHESON with Mr. BURGESS.

Mr. CURRIER with Mr. LEE.

Mr. FULLER with Mr. DENVER.

Mr. MCGUIRE with Mr. STANLEY.

Mr. LORIMER with Mr. HUMPHREYS of Mississippi.

Mr. COOPER of Wisconsin with Mr. CARLIN.

Mr. DIEKEMA with Mr. WEBB.

Mr. AMES with Mr. BARTLETT of Georgia.

Mr. BINGHAM with Mr. LIVINGSTON.

Mr. BRADLEY with Mr. GRIGGS.

Mr. BIRDSALL with Mr. LAMAR of Missouri.

Mr. HULL of Iowa with Mr. CLAUDE KITCHIN.

Mr. CHANEY with Mr. FOSTER of Illinois.

Mr. DUNWELL with Mr. LAMAR of Florida.

Mr. FOSTER of Vermont with Mr. POU.

Mr. HINSHAW with Mr. LENAHA.

Mr. KNOPF with Mr. WEISSE.

Mr. ALLEN with Mr. LEVER.

Mr. MUDD with Mr. TALBOTT.

Mr. HASKINS with Mr. RUCKER.

For the session:

Mr. BENNET of New York with Mr. FORNES.

Mr. DENBY with Mr. HOESON.

Mr. JENKINS with Mr. LAMB.

Mr. DAVES with Mr. TAYLOR of Alabama.

Mr. COUSINS with Mr. FLOOD.

Mr. SHERMAN with Mr. RIORDAN.

Mr. WATSON with Mr. SHEPPARD.

Mr. CONNER with Mr. JOHNSON of South Carolina.

Mr. HIGGINS with Mr. KIMBALL.

Mr. FOSS with Mr. PADGETT.

Mr. MCGAVIN with Mr. McDERMOTT.

Mr. BANNON with Mr. OLLIE M. JAMES

The result of the vote was announced as above recorded.

The doors were opened.

APPOINTMENT.

The SPEAKER. The Chair announces the following appointment, if there be no objection.

There was no objection.

The Clerk read as follows:

The SPEAKER, W. P. HEPBURN, and J. J. FITZGERALD, to constitute, on and after July 1, 1908, the Commission to approve and direct the Superintendent of the Capitol Building and Grounds in his control and supervision of the House of Representatives Office Building, authorized by the sundry civil appropriation act, approved March 4, 1907.

[Applause].

RECESS.

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until 3 o'clock p. m.

The SPEAKER. The gentleman from New York moves that the House take a recess until 3 o'clock p. m. to-day.

The question was taken and the Speaker announced that the yeas seemed to have it.

Mr. HEFLIN. The yeas and nays, Mr. Speaker.

Mr. WILLIAMS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

Mr. PAYNE. Mr. Speaker, I make the point of order that no quorum is present.

Mr. WILLIAMS. Mr. Speaker, I make the point of order that the call of the roll has just disclosed the presence of a quorum, and that the point of order made by the gentleman from New York [Mr. PAYNE] is therefore dilatory.

Mr. PAYNE. I call the Chair's attention to the fact that a large number of Members have left the Hall since the roll call.

Mr. WILLIAMS. Mr. Speaker, some time ago I went through that performance, and the Speaker ruled I was dilatory. Members had left the Hall in exactly the same way.

The SPEAKER. The Chair will state to the gentleman from Mississippi [Mr. WILLIAMS] that it is perfectly evident to the Chair that the present point of order is dilatory. The Chair has counted the Members present and there are 135—no quorum. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absent Members. As many as favor the motion will, as their names are called, answer "yea;" as many as are opposed will answer "nay," and those present and not voting will answer "present;" and the Clerk will call the roll.

The question was taken, and there were—yeas 118, nays 76, answered "present" 16, not voting 178, as follows:

YEAS—118.

Alexander, N. Y.	Dawson	Hubbard, W. Va.	Payne
Andrus	Douglas	Humphrey, Wash.	Pollard
Bannon	Driscoll	Keifer	Porter
Barclay	Dwight	Kennedy, Iowa	Scott
Bartholdt	Edwards, Ky.	Kennedy, Ohio	Slayden
Bates	Ellis, Mo.	Knapp	Smith, Cal.
Beale, Pa.	Fassett	Langley	Smith, Iowa
Bede	Focht	Laning	Smith, Mich.
Bennett, Ky.	Fordney	Longworth	Snapp
Bonyne	Foster, Ind.	Loud	Stevens, Minn.
Boyd	French	Loudenslager	Sturgiss
Burke	Gaines, W. Va.	Lovering	Tawney
Burleigh	Gardner, N. J.	McCreary	Taylor, Ohio
Burton, Del.	Gilham	McKinley, Ill.	Thistlewood
Burton, Ohio	Gillett	McKinney	Tirrell
Butler	Graham	McLain	Voilead
Calderhead	Haggott	McLaughlin, Mich.	Vreeland
Campbell	Hale	Madison	Waldo
Capron	Hall	Mann	Wanger
Cary	Hamilton, Mich.	Maynard	Washburn
Chapman	Hammond	Moon, Tenn.	Weeks
Cocks, N. Y.	Harding	Morse	Weems
Cole	Haugen	Murdock	Wheeler
Cook, Pa.	Hawley	Needham	Wilson, Ill.
Cooper, Pa.	Hepburn	Norris	Wood
Cooper, Tex.	Hill, Conn.	Nye	Woodyard
Crumpacker	Holliday	Olcott	Young
Cushman	Howell, N. J.	Olmsted	The Speaker
Dalzell	Howell, Utah	Parker, N. J.	
Davis, Minn.	Howland	Parker, S. Dak.	

NAYS—76.

Adair	De Armond	Hay	Rainey
Adamson	Dixon	Hefflin	Randell, Tex.
Alken	Ellerbe	Henry, Tex.	Rauch
Alexander, Mo.	Ferris	Hitchcock	Richardson
Ansberry	Finley	Houston	Rothermel
Beall, Tex.	Fitzgerald	Howard	Russell, Mo.
Bell, Ga.	Floyd	Hughes, N. J.	Russell, Tex.
Boober	Fulton	Hull, Tenn.	Ryan
Bowers	Garner	Humphreys, Miss.	Sabath
Broussard	Garrett	Johnson, Ky.	Sherley
Burgess	Godwin	Jones, Va.	Sims
Burleson	Gordon	Keliber	Spight
Burnett	Goulden	Lloyd	Stephens, Tex.
Caldwell	Granger	Macon	Thomas, N. C.
Candler	Hackett	Moore, Tex.	Tou Velle
Clark, Mo.	Hackney	Nicholls	Underwood
Cox, Ind.	Hamill	O'Connell	Watkins
Craig	Hamlin	Page	Williams
Davenport	Hardy	Patterson	Wilson, Pa.

ANSWERED "PRESENT"—16.

Bennet, N. Y.	Foster, Ill.	Madden	Riordan
Boutell	Henry, Conn.	Murphy	Sheppard
Cousins	Kahn	Overstreet	Talbott
Flood	Lever	Padgett	Webb

NOT VOTING—178.

Acheson	Esch	Kitchin, Claude	Perkins
Allen	Fairchild	Kitchin, Wm. W.	Peters
Ames	Favrot	Knopf	Pou
Anthony	Fornes	Knowland	Powers
Ashbrook	Foss	Küstermann	Pratt
Barchfield	Foster, Vt.	Lafean	Pray
Bartlett, Ga.	Foulkrod	Lamar, Fla.	Prince
Bartlett, Nev.	Fowler	Lamar, Mo.	Pujo
Bingham	Fuller	Lamb	Ransdell, La.
Birdsall	Gaines, Tenn.	Landis	Reeder
Bradley	Gardner, Mass.	Lassiter	Reid
Brantley	Gardner, Mich.	Law	Reynolds
Brodhead	Gill	Lawrence	Rhinock
Brownlow	Gillespie	Leake	Roberts
Brumm	Glass	Lee	Robinson
Brundidge	Goebel	Legare	Rodenberg
Byrd	Goldfogle	Lenahan	Rucker
Calder	Graff	Lewis	Saunders
Carlin	Greene	Lilley	Shackleford
Carter	Gregg	Lindbergh	Sherman
Caulfield	Griggs	Lindsay	Sherwood
Chaney	Gronna	Littlefield	Siemp
Clark, Fla.	Hamilton, Iowa	Livingston	Small
Clayton	Hardwick	Lorimer	Smith, Mo.
Cockran	Harrison	Lowden	Smith, Tex.
Conner	Haskins	McCall	Southwick
Cook, Colo.	Hayes	McDermott	Sparkman
Cooper, Wis.	Helm	McGavin	Sperry
Coudrey	Higgins	McGuire	Staford
Cravens	Hill, Miss.	McHenry	Stanley
Crawford	Hinslaw	McKinlay, Cal.	Steenerson
Currier	Hobson	McLachlan, Cal.	Sterling
Darragh	Hubbard, Iowa	McMillan	Sulloway
Davey, La.	Huff	McMorran	Sulzer
Davidson	Hughes, W. Va.	Malby	Taylor, Ala.
Dawes	Hull, Iowa	Marshall	Thomas, Ohio
Denby	Jackson	Miller	Townsend
Denver	James, Addison D.	Mondell	Wallace
Diekema	James, Ollie M.	Moon, Pa.	Watson
Draper	Jenkins	Moore, Pa.	Welsse
Dunwell	Johnson, S. C.	Mouser	Wiley
Durey	Jones, Wash.	Mudd	Willett
Edwards, Ga.	Kimball	Nelson	Wolf
Ellis, Oreg.	Kinkaid	Parsons	
Englebright	Kipp	Pearse	

The SPEAKER. On this vote the yeas are 118, the nays 76, answering "present" 16—a quorum. The Doorkeeper will open the doors.

Pending the announcement of the vote, the Chair lays before the House the following request:

The Clerk read as follows:

WITHDRAWAL OF PAPERS.

Mr. EDWARDS of Kentucky asks leave to withdraw from the files of the House, without leaving copies, the papers in the case of A. B. Gilliland (H. R. 13124), Fifty-ninth Congress, no adverse report having been made thereon.

Mr. WILLIAMS. A point of order, Mr. Speaker. The Speaker has just announced the vote upon the proposition of taking a recess, and the vote shows that the House has taken a recess. Now, how can the House even have power to give unanimous consent after it has voted itself into recess?

The SPEAKER. It is not as yet declared. But the unbroken practice of the House has been, pending the announcement of the vote, to lay enrolled bills—

Mr. WILLIAMS. I understand it has been the practice.

The SPEAKER. And personal requests before the House pending the announcement of the vote. It is announced that a quorum is present. Of course, a single objection—

Mr. WILLIAMS. I understand that. I am not seeking to make an objection. I am endeavoring to secure a ruling. I know what the practice has been, and I believe that it has been loose, and I believe it has been wrong. I do not believe after a vote has been announced, showing the House has recessed itself, it is necessary to have any declaration from the Speaker at all.

The SPEAKER. Still, the Chair, without further examination, will adhere for the present, at least, to the uniform practice of the House for many decades.

Mr. WILLIAMS. Then I will ask the Chair to take that matter under consideration, because I propose at a future time to bring it to the attention of the Chair again, as I do think it a well-founded point of order. I do not make any objection to this request.

The SPEAKER. One moment. The Chair hears no objection to the request. Here is an additional request.

The Clerk read as follows:

Mr. GRIGGS of Georgia requests leave of absence for one week, on account of important business.

The SPEAKER. Is there objection?

Mr. WILLIAMS. I renew the point of order, but do not object.

The SPEAKER. The Chair hears none.

The result of the vote was then announced as above recorded, and accordingly (at 12 o'clock and 16 minutes p. m.) the House was declared in recess until 3 p. m.

AFTER RECESS.

The recess having expired, the House was called to order by the Speaker at 3 o'clock p. m.

INCREASE OF PENSIONS.

Mr. CALDERHEAD. Mr. Speaker, I ask unanimous consent for the consideration and passage of the bill which I send to the desk.

The SPEAKER. The gentleman from Kansas asks unanimous consent for the passage of the bill which was read this morning. The Clerk read as follows:

A bill (H. R. 22212) granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Allemen.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Reserving the right to object, if the gentleman will ask unanimous consent for the consideration of the bill, I shall interpose no objection. If he insists on requiring consideration and passage both, I will be compelled to object.

The SPEAKER. The gentleman from Mississippi will recognize that if unanimous consent be given for the consideration of the bill, then the question of the passage may give possibility of a roll call. If the gentleman is of the same opinion about this bill as he was about the bill that was considered yesterday—

Mr. WILLIAMS. The Chair can draw its own conclusions from the past conduct of the "gentleman from Mississippi" in connection with bills like this. I will not object to the request for unanimous consent for consideration.

The SPEAKER. The Chair will recognize the gentleman from Kansas to move to suspend the rules.

Mr. CALDERHEAD. I move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from Kansas moves to suspend the rules and pass the bill which has been read.

Mr. FITZGERALD. I demand a second.

The SPEAKER. Under the rule, a second is ordered. The gentleman from Kansas [Mr. CALDERHEAD] is entitled to twenty minutes, and the gentleman from New York [Mr. FITZGERALD] is entitled to twenty minutes.

Mr. CALDERHEAD. Mr. Speaker, this bill demands very little explanation. It provides for increasing the pensions of three old soldiers on the pension roll. Separate bills were passed by the Senate and a mistake was made in one case in the number of the regiment. In order to correct that the bill would have to be amended and be passed again by the Senate. In order to save the time of the House and of the Senate under present conditions, these three cases were included in one omnibus bill. I want to state concerning these three soldiers there are exceptional circumstances in behalf of each of them. They each require the constant attention of some other person; they are each of them dependent upon their pensions alone for their support and for their care and attention, and I thought it was right they should have this special consideration even after we had closed the regular pension work of the session.

Mr. HOLLIDAY. Will the gentleman allow me to ask him a question? I simply desire to inquire whether the House Committee on Invalid Pensions have reported upon this case?

Mr. CALDERHEAD. They reported on the case. A majority of the members of the committee have been seen upon the matter, and they deemed the report was proper.

Mr. HOLLIDAY. Well, I was not consulted, and never heard of it.

Mr. KEIFER. Have bills in favor of these persons passed the House before?

Mr. CALDERHEAD. They passed the Senate, but not the House.

Mr. KEIFER. Do the Committee on Invalid Pensions now recommend them?

Mr. CALDERHEAD. Yes, sir.

Mr. KEIFER. Then, do I understand this bill places upon the pension rolls three worthy soldiers?

Mr. CALDERHEAD. Yes, sir; it increases their pensions.

Mr. KEIFER. That is the only purpose?

Mr. CALDERHEAD. That is the only purpose.

Mr. FITZGERALD. Mr. Speaker, I regret very much that it is not possible also to pass a joint resolution in this House to provide for the payment of the pensions of 630,000 pensioners. I understand the gentleman from Minnesota [Mr. TAWNEY] has issued a statement that on account of the conditions in the House and the Senate, unless we finish up to-night there will be a stoppage of payment to the pensioners of the country. We have been in session twice to-day. On one occasion we took the time of the House to pass a joint resolution to prevent three employees from being separated from the pay roll. Now, we are about to put the names of three soldiers on the pension roll, properly, I think. We have been doing nothing else; we have been in recess. The Senate has so little to

do that it took a recess for thirty minutes. So that, as a matter of fact, if the Republicans of the two Houses of Congress, instead of taking recesses, had brought in a joint resolution to make available the money necessary to pay the pensioners and to provide funds for any other public service, there would not have been the slightest possibility of the Government breaking down because of anything that the Democrats have done. Everybody knows that the Democrats have done nothing and have not been permitted to do anything.

If we had been permitted to do things here, there are a number of beneficial bills pending that we would have gladly passed, thereby bringing relief to great hordes of the people. But, Mr. Speaker, this pending resolution is an important one. Through some oversight similar, I suppose, to the one that necessitated the joint resolution this morning, three men who faithfully served their country at some period of stress have not been provided with pensions in any of the bills passed at this session.

Mr. DALZELL. The gentleman is mistaken. This bill does not put these men on the pension roll for the first time. It is for an increase of pension. They are all of them helpless.

Mr. FITZGERALD. That is all the more reason why it should pass; and the only reason I was under a misapprehension as to whether it placed them on the pension roll or increased their pensions was that, owing to the size of this Hall and the feebleness of the voice of the gentleman in charge of this bill, I was unable to understand exactly what he was saying in explanation.

Mr. PAYNE. I should like to ask my colleague if he does not intend to vote for this bill as soon as he gets an opportunity?

Mr. FITZGERALD. As soon as I am able to arrive at that condition when I feel that a vote should be taken I hope to vote for it. I am sure every Democrat will vote for it, whatever may be the disposition of the followers of my distinguished colleague.

Mr. OLMSTED rose.

Mr. FITZGERALD. Does the gentleman from Pennsylvania [Mr. OLMSTED] intend to ask me a question or to make a point of order?

Mr. OLMSTED. If I had any intention at all, it was to ask the gentleman whether, being apparently in favor of the bill, he had demanded a second merely for the purpose of consuming the valuable time of the House in discussing a bill that everybody is anxious to vote for?

Mr. FITZGERALD. If the gentleman from Pennsylvania is opposed to this meritorious bill—

Mr. OLMSTED. No; I am not.

Mr. FITZGERALD. Or if he feels that he should have time to utilize in opposition to it, I will gladly surrender my right to control the time to the gentleman from Pennsylvania.

Mr. OLMSTED. I accept that privilege, Mr. Speaker, and I do not desire to occupy time further, but call for a vote. [Laughter.]

Mr. FITZGERALD. I said I should yield if the gentleman would state that he was opposed to the measure. But my purpose in detaining the House in session longer than the few minutes necessary or contemplated when we met was not only to accelerate the passage of this bill, but to prevent useless questions being asked of the gentleman in charge of it and to emphasize the fact that the distinguished chairman of the Committee on Appropriations, evidently in desperation, trying to blame the Democrats for so many things that have happened, has gone far out of the way to put upon what he calls a "filibuster" the responsibility for the failure of the Printing Office being open on Monday morning or of pensioners getting their pensions on the 4th of June.

Surely, with this House not in session, with the Members wondering how to kill time, and the Senate not detained, but taking a recess of thirty minutes, Congress could easily have passed all the resolutions that were necessary, and I hope that nobody will again charge the Democrats with filibustering. I know that the Record is going to be piled high with speeches of men who indulge in talk about a filibuster.

Mr. OLMSTED. Mr. Speaker, I really feel that I ought to raise the point of order that the gentleman is not discussing the bill before the House.

Mr. DOUGLAS. Does not the gentleman from New York think that this day, set apart by national law as a day dedicated to the memories of the war—

Mr. FITZGERALD. And of peace—

Mr. DOUGLAS (continuing). And the soldiers of the Union, would be a good time for the distinguished gentleman from Mississippi [Mr. WILLIAMS] not to call for the yeas and nays upon this vote, but by unanimous consent to permit these three heroes of the war to be pensioned without any delay?

Mr. FITZGERALD. Mr. Speaker, were it not for the point

of order made by the gentleman from Pennsylvania, I should favor him by answering that question, and hoping that he will be constrained to withhold it—

Mr. OLMSTED. I withhold the point.

Mr. FITZGERALD. I will yield five minutes to the gentleman from Mississippi to speak for himself, John. [Laughter.]

Mr. WILLIAMS. Mr. Speaker, I shall not take three minutes to say what I want to say in regard to this bill. There seems to be a strange inability in gentlemen to understand the difference between a request asking for consideration of a bill and a request asking for consideration and passage of a bill. Yet any man of intellectual honesty and common ability can understand the difference. The House has a right to know before it agrees to the passage of the measure what the measure is. Men may frequently be willing to grant unanimous consent to consider a measure, and subsequently vote for it, without being willing to grant consent beforehand to consider and pass the same bill. I shall continue to insist that no unanimous consents to consider and pass bills will be agreed to by the House. When a request for unanimous consent to consider is made, I shall grant it or not, in my discretion, and shall afterwards act on the other question concerning its passage as I think best when the question comes up for the passage of the bill.

In this particular matter this is a question of charity. This is a matter, as I understand it, of absolute need in connection with these men, and although I declined to tell the Speaker beforehand that I would not call for the yeas and nays, I have never had the slightest idea of doing so, and I have no idea of doing so now. [Applause.]

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken, and the rules were suspended and the bill was passed.

MASONIC MUTUAL RELIEF ASSOCIATION OF DISTRICT OF COLUMBIA.

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 6358.

The SPEAKER. The gentleman from Michigan asks unanimous consent to consider and pass the bill, or to pass the bill; the Chair will put it that way. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 6358) to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia."

Mr. WILLIAMS. Mr. Speaker, it is useless to take up the time of the House to read the bill if that is the form of the request. I object.

Mr. SMITH of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from Michigan moves to suspend the rules and pass the following Senate bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1869, be amended by striking out the word "Relief" and substituting therefor the word "Life" in the name of the association, so that as amended it shall read: "The Masonic Mutual Life Association of the District of Columbia."

The SPEAKER. Is a second demanded?

Mr. SIMS. Mr. Speaker, I demand a second.

The SPEAKER. Under the rule a second is ordered. The gentleman from Michigan is entitled to twenty minutes and the gentleman from Tennessee to twenty minutes.

Mr. SIMS. Mr. Speaker, I do not wish to take up any time. I demanded a second simply to ask an explanation of what the amendment was. There is so much confusion here I could not hear.

Mr. SMITH of Michigan. I will not take but a moment of the time of the House. The matter is very clearly stated in a letter contained in the report, and I would ask that the Clerk read the letter in my time.

The SPEAKER. The Clerk will read the letter in the time of the gentleman.

The Clerk read as follows:

THE MASONIC MUTUAL RELIEF ASSOCIATION
OF THE DISTRICT OF COLUMBIA,
Washington, D. C., May 13, 1908.

DEAR SIR: Complying with your request of yesterday, I send you herewith Senate bill No. 6358, together with copy of the report thereon by the Senate committee, referred to you as chairman of the subcommittee. In this connection I might add that changing the word "Relief" in the name of this association to the word "Life" does not in any way affect the mode of doing business by the association or its corporate powers or give it any additional rights or privileges.

In the District of Columbia we have the Masonic Board of Relief, and the Masonic Relief Association of the United States and Canada, in addition to this association. We find people confusing the three associations and also confusion in the mail. The purpose in the change in the name of this association is simply to avoid confusion and to more accurately designate the association. As the two other associations are for the purpose of granting temporary assistance to needy

brethren or their families and this association is an insurance organization, it is felt that the word "Life" would more clearly describe the nature of its business and sufficiently distinguish it from the other two associations; hence the request for the change.

We trust you will see your way clear to making favorable report upon the bill and securing its early passage.

Thanking you for your uniform courtesy,

Very truly, yours,

THE MASONIC MUTUAL RELIEF ASSOCIATION,
By WM. MONTGOMERY, Secretary.

Hon. JULIUS KAHN,
United States House of Representatives.

Mr. SIMS. Mr. Speaker, now that I understand what it is, I have no objection, and I do not desire to occupy any time.

Mr. SMITH of Michigan. Mr. Speaker, I do not desire to say anything further beyond what is stated in the letter, and unless some one desires to be heard I ask for a vote.

The question was taken.

The SPEAKER. In the opinion of the Chair, a majority having voted—

Mr. HEFLIN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. In the opinion of the Chair, a majority having voted—

Mr. HEFLIN. Mr. Speaker, I withdraw the demand. I did not understand what it was, and therefore I call for the yeas and nays.

The SPEAKER. In the opinion of the Chair, a majority having voted in favor thereof, the rules are suspended and the bill is passed.

LEAVE OF ABSENCE.

By unanimous consent, Mr. GAINES of Tennessee was granted leave of absence for ten days, on account of sickness.

PRINTING REPORT OF INLAND WATERWAYS COMMISSION.

Mr. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the following Senate concurrent resolution.

The SPEAKER. The Chair will recognize the gentleman to suspend the rules.

Mr. LANDIS. Then, Mr. Speaker, I move to suspend the rules and pass the following Senate concurrent resolution.

The SPEAKER. The Clerk will report the same.

The Clerk read as follows:

Senate concurrent resolution 50.

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound at the Government Printing Office 10,000 copies of the preliminary report of the Inland Waterways Commission, with illustrations, of which 5,000 copies shall be for the House of Representatives, 2,500 copies for the Senate, and 2,500 copies for the use of the Commission.

The SPEAKER. Is a second demanded?

Mr. WILLIAMS. Mr. Speaker, upon that I demand a second.

The SPEAKER. Under the rule a second is ordered. The gentleman from Indiana is entitled to twenty minutes and the gentleman from Mississippi to twenty minutes.

Mr. LANDIS. Mr. Speaker, I have no desire to occupy any time of the House.

Mr. WILLIAMS. Mr. Speaker, I merely want to consume a sufficient part of the time to inform this side of the House what the resolution is, so that they may understand why I shall not call the roll upon it. It is merely a resolution for certain printing of documents ready to be printed, so that they may be printed, bound, and circulated amongst Senators, Members of the House, and others. I merely wanted to take that much time to explain why I shall not call the roll.

The SPEAKER. The question is on agreeing to the concurrent resolution.

The question was taken, and the rules were suspended, and the concurrent resolution was agreed to.

PRINTING OF CERTAIN DOCUMENTS.

Mr. LANDIS. Mr. Speaker, I ask unanimous consent that the following documents be printed as public documents: A report of Mr. William S. Rossiter upon conditions prevailing in the Government Printing Office, and reply thereto by Charles A. Stillings, Public Printer, and a report by Mr. George C. Havenner on comparative costs of printing for the Executive Departments.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the printing of two documents as public documents. The Clerk will give the title of the first report.

The Clerk read as follows:

"Report to the President by W. S. Rossiter upon conditions in the Government Printing Office." "Comparative cost of printing for the Executive Departments, etc."

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I would like to ask what this is. We do not know what we are doing. What is the Havenner matter you are talking about?

Mr. LANDIS. This is a report made by Mr. Havenner, the chief of the division of printing in the Department of Commerce and Labor, in response to a request of the President, because of complaints made by the Departments that the cost of printing at that time, last January, was much in excess of what it was a year ago. He made a very exhaustive report.

Mr. WILLIAMS. Upon what authority of Congress or of law was it done? Was it done just by the order of the President?

Mr. LANDIS. By order of the President.

Mr. WILLIAMS. By what authority of law did the President issue that order?

Mr. LANDIS. I think the President—

Mr. WILLIAMS. Has a right to appoint commissions and investigate the Departments whenever he pleases? Mr. Speaker, I object to the latter part of that. The Chair might put the request separately—the Rossiter report and the other.

The SPEAKER. Is there objection to printing, as a public document, the Rossiter report? [After a pause.] The Chair hears none.

Mr. MANN. I would like to ask the gentleman what he means by saying, "to print as a public document the usual number?"

Mr. LANDIS. The usual number as a document.

The SPEAKER. The Chair hears no objection to the printing of the Rossiter report, but does hear objection to the other.

LIFE-SAVING APPARATUS, FARALLONE ISLANDS.

Mr. KAHN. Mr. Speaker, I ask to suspend the rules and pass the Senate bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from California [Mr. KAHN] moves to suspend the rules and pass the following Senate bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 5983) authorizing certain life-saving apparatus to be placed at the Farallone Islands, off the coast of California.

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to cause a Lyle gun and the necessary beach apparatus used in connection with it to be placed at the Farallone Islands, off the coast of California, at such point as the General Superintendent of the Life-Saving Service may recommend, and to furnish ammunition for said gun and make repairs to the apparatus from time to time as necessary.

SEC. 2. That the Secretary of the Treasury is hereby authorized to detail an experienced surfman from one of the life-saving stations on the coast of California for duty at the Farallone Islands for a sufficient time to instruct and drill the inhabitants of the islands as to the proper use and care of the life-saving apparatus.

Mr. WILLIAMS. Mr. Speaker, I demand a second.

The SPEAKER. Under the rules, a second is ordered. The gentleman from California [Mr. KAHN] is entitled to twenty minutes and the gentleman from Mississippi [Mr. WILLIAMS] is entitled to twenty minutes.

Mr. KAHN. Mr. Speaker, this bill provides for life-saving apparatus on the Farallone Islands. These islands are 20 miles distant from the Golden Gate. At the present time there is no life-saving station on those islands. There have been four wrecks there, but fortunately there has been no loss of life up to the present time. However, at the time of the last wreck the life-saving crew at Point Lobos had to row a distance of 29 miles to take the men off the vessel and row back 29 miles to a place of safety. There are enough men on the island to man one of these life-saving outfits, and they are willing to do it. All that is asked is that an experienced surfman be allowed to go there and instruct this volunteer crew how to handle the apparatus. That is all there is to the bill.

I yield to the gentleman from Illinois [Mr. MANN] such time as he may desire.

Mr. MANN. Mr. Speaker, this bill received, I may say, very careful consideration by the Committee on Interstate and Foreign Commerce. Objection was made to it when it first came in, but after an examination of the facts in connection with the matter the committee was unanimously of the opinion that in this case the Government might well furnish to the islands the life-saving apparatus, to be used by people on the islands, in place of establishing a new life-saving station at that place. The furnishing of the life-saving apparatus will probably accomplish the needed purposes, and of course is far less expensive to the Government than the establishment and maintenance of a life-saving station there. Undoubtedly something needs to be done by the Government at that place.

Mr. KAHN. Mr. Speaker, I reserve the balance of my time.

Mr. WILLIAMS. Mr. Speaker, this seems, from the encomiums passed upon it by the gentleman from California [Mr. KAHN] and by the report given of its committee course by the gentleman from Illinois [Mr. MANN], to be a very deserving bill. I shall reserve the balance of my time.

Mr. KAHN. I call for a vote, Mr. Speaker.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WILLIAMS. Mr. Speaker, I ask for the yeas and nays. It is such a good bill that I want to vote for it on the record.

The yeas and nays were ordered.

Mr. KAHN. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The point of order is sustained. The Doorkeeper will close the door; the Sergeant-at-Arms will notify absent Members; as many as favor the motion will, as their names are called, answer "yea;" as many as are opposed will answer "nay;" those present and not voting will answer "present," and the Clerk will call the roll.

The question was taken, and there were—yeas 185, answered "present" 16, not voting 187, as follows:

YEAS—185.

Adair	De Armond	Hill, Conn.	Payne
Adamson	Dixon	Holliday	Pollard
Alexander, Mo.	Douglas	Houston	Porter
Alexander, N. Y.	Driscoll	Howell, N. J.	Pou
Andrus	Dwight	Howell, Utah	Pray
Barchfield	Edwards, Ky.	Howland	Rainey
Barclay	Ellerbe	Hubbard, W. Va.	Randall, Tex.
Bartholdt	Ellis, Mo.	Hughes, N. J.	Reeder
Beale, Pa.	Ellis, Oreg.	Hull, Tenn.	Reynolds
Beall, Tex.	Fassett	Johnson, Ky.	Richardson
Bede	Finley	Jones, Wash.	Roberts
Bell, Ga.	Floyd	Kahn	Rothermel
Bennett, Ky.	Focht	Keifer	Russell, Mo.
Bonyne	Fordney	Keliber	Sabath
Booher	Foster, Ind.	Kennedy, Iowa	Scott
Boutell	French	Kennedy, Ohio	Slayden
Bowers	Gaines, W. Va.	Kinkaid	Smith, Cal.
Boyd	Gardner, N. J.	Knapp	Smith, Iowa
Broussard	Garner	Langley	Smith, Mich.
Burgess	Garrett	Lauling	Smith, Mo.
Burke	Gilham	Law	Snapp
Burleigh	Gillespie	Lindbergh	Spight
Burnett	Gillett	Longworth	Stevens, Minn.
Burton, Del.	Glass	Loud	Sturgiss
Burton, Ohio	Godwin	Lovering	Tawney
Calderhead	Gordon	McCreary	Taylor, Ohio
Caldwell	Goulden	McHenry	Thistlewood
Campbell	Graff	McKinley, Ill.	Thomas, N. C.
Candler	Graham	McKinney	Tirrell
Capron	Granger	McLaughlin, Mich.	Tou Velle
Carter	Gregg	Macon	Voilestad
Caulfield	Hackett	Madison	Vreeland
Chapman	Haggott	Mann	Waldo
Clark, Mo.	Hale	Moore, Tenn.	Wanger
Clayton	Hall	Moore, Tex.	Watkins
Cocks, N. Y.	Hamill	Morse	Weeks
Cole	Hamilton, Mich.	Murdock	Weems
Cook, Colo.	Hamlin	Needham	Williams
Cook, Pa.	Hammond	Nicholls	Wilson, Ill.
Cooper, Tex.	Harding	Norris	Wilson, Pa.
Cox, Ind.	Hardy	Nye	Wood
Craig	Haugen	O'Connell	Woodyard
Crumpacker	Hawley	Olcott	Young
Dalzell	Hayes	Olmsted	The Speaker
Darragh	Hellin	Parker, N. J.	
Davenport	Henry, Tex.	Parker, S. Dak.	
Dawson	Hepburn	Patterson	

ANSWERED "PRESENT"—16.

Bannon	Flood	Lever	Talbott
Bennet, N. Y.	Foster, Ill.	Loudenslager	Washburn
Brundidge	Henry, Conn.	Murphy	Webb
Burleson	Kimball	Sheppard	Wheeler

NOT VOTING—187.

Acheson	Draper	Hughes, W. Va.	McLain
Aiken	Dunwell	Hull, Iowa	McMillan
Allen	Durey	Humphrey, Wash.	McMorran
Ames	Edwards, Ga.	Humphreys, Miss.	Madden
Ansberry	Englebright	Jackson	Malby
Anthony	Esch	James, Addison D.	Marshall
Ashbrook	Fairchild	James, Ollie M.	Maynard
Bartlett, Ga.	Favrot	Jenkins	Miller
Bartlett, Nev.	Ferris	Johnson, S. C.	Mondell
Bates	Fitzgerald	Jones, Va.	Moore, Pa.
Bingham	Fornes	Kipp	Mooser
Birdsall	Foss	Kitchin, Claude	Mudd
Bradley	Foster, Vt.	Kitchin, Wm. W.	Nelson
Brantley	Foulkrod	Knopf	Overstreet
Brodhead	Fowler	Knowland	Padgett
Brownlow	Fuller	Küstermann	Page
Brumm	Fulton	Lafean	Parsons
Butler	Gaines, Tenn.	Lamar, Fla.	Pearre
Byrd	Gardner, Mass.	Lamar, Mo.	Perkins
Calder	Gardner, Mich.	Lamb	Peters
Carlin	Gill	Landis	Powers
Cary	Goebel	Lassiter	Pratt
Chaney	Goldfogle	Lawrence	Prince
Clark, Fla.	Greene	Leake	Pujo
Cockran	Griggs	Legare	Ransdell, La.
Conner	Gronna	Lenahan	Rauch
Cooper, Pa.	Hackney	Lewis	Reid
Cooper, Wis.	Hamilton, Iowa	Lilley	Rhinoek
Coudrey	Hardwick	Lindsay	Riordan
Cousins	Harrison	Littlefield	Robinson
Cravens	Haskins	Livingston	Rodenberg
Crawford	Hay	Lloyd	Rucker
Currier	Helm	Lorimer	Russell, Tex.
Cushman	Higgins	Lowden	Ryan
Davey, La.	Hill, Miss.	McCall	Saunders
Davidson	Hinshaw	McDermott	Shackelford
Davis, Minn.	Hitchcock	McGavin	Sherley
Dawes	Hobson	McGuire	Sherman
Denby	Howard	McKinlay, Cal.	Sherwood
Denver	Hubbard, Iowa	McLachlan, Cal.	Sims
Diekema	Huff		

Slemp	Stafford	Sulzer	Watson
Small	Stanley	Taylor, Ala.	Weisse
Smith, Tex.	Steenerson	Thomas, Ohio	Willey
Southwick	Stephens, Tex.	Townsend	Willett
Sparkman	Sterling	Underwood	Wolf
Sperry	Sulloway	Wallace	

The following additional pairs were announced:

Until further notice:

Mr. SOUTHWICK with Mr. UNDERWOOD.

Mr. KNOWLAND with Mr. GAINES of Tennessee.

For the balance of the session:

Mr. WASHBURN with Mr. SHERLEY.

The SPEAKER pro tempore (Mr. GAINES of West Virginia). On this question the yeas are 185, the nays are 0, present 16; a quorum; the Doorkeeper will open the doors; the ayes have it; the rules are suspended and the bill is passed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 21871) to amend the national banking laws.

MEMORIAL UNIVERSITY, IOWA.

Mr. HAUGEN. Mr. Speaker, I move to suspend the rules, discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill H. R. 20658, and that the bill be passed.

The SPEAKER pro tempore. The gentleman from Iowa moves to suspend the rules and pass the bill which the Clerk will report.

Mr. WILLIAMS. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WILLIAMS. I understood the gentleman from Iowa to move to suspend the rules, discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill, and pass the bill.

The SPEAKER pro tempore. The Chair was unable to hear the gentleman from Iowa.

Mr. WILLIAMS. I submit that the Chair stated only the first and last propositions.

The SPEAKER pro tempore. What was the motion of the gentleman from Iowa?

Mr. HAUGEN. To suspend the rules, discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill H. R. 20658, and to pass the bill.

The SPEAKER pro tempore. The gentleman from Iowa moves to suspend the rules, discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill which the Clerk will report, and pass the bill.

The Clerk read as follows:

A bill (H. R. 20658) authorizing the issue of equipment of arms, ammunition, and such accoutrement as accompany same, for target practice, to the Memorial University, Mason City, Iowa.

Be it enacted, etc., That the Secretary of War is hereby authorized to issue, without cost of transportation to the United States, to the Memorial University, of Mason City, Iowa, 125 guns, with suitable equipment and ammunition, for target practice and for the purpose of drill and instructions. And the Secretary of War shall require from said institution a bond double the value of the property issued, for the care and safe-keeping thereof, and for the return of the same to the United States when required.

The SPEAKER pro tempore. Is a second demanded?

Mr. WILLIAMS. I demand a second.

The SPEAKER pro tempore. Under the rule a second is ordered. The gentleman from Iowa [Mr. HAUGEN] is entitled to twenty minutes, and the gentleman from Mississippi [Mr. WILLIAMS] is entitled to twenty minutes.

Mr. HAUGEN. Mr. Speaker, the bill authorizes the Secretary of War to furnish the Memorial University at Mason City, Iowa, with 125 guns, with suitable equipment and ammunition, for target practice, for drill and instruction, without cost to the Government for transportation.

Mr. WILLIAMS. With the usual bond?

Mr. HAUGEN. With the usual bond.

Mr. FITZGERALD. What kind of guns are they? Are they Springfield rifles, Krag-Jørgensens, or new Army rifles?

Mr. HAUGEN. The regular Krag-Jørgensen rifles.

Mr. FITZGERALD (continuing). Or 16-inch guns?

Mr. HAUGEN. I am informed by the Department that it has available for issue and that it can accommodate this institution in this way. The act of June 30, 1906, authorizes the Secretary of War to furnish them to State and Territorial institutions.

Mr. WILLIAMS. The gentleman from New York this morning made the point of order against me that I was occupying a Senatorial attitude which Members of the House should not attempt. I make that point against the gentleman.

Mr. MANN. But the gentleman from Iowa is not subject to that point of order, as he had both feet on the floor.

Mr. DAWSON. May I ask my colleague a question?

Mr. HAUGEN. Certainly.

Mr. DAWSON. This Memorial University was instituted by Sons of Veterans, was it not?

Mr. HAUGEN. This institution was founded by Sons of Veterans and maintained largely by the Grand Army of the Republic and Women's Relief Corps, and is a matter of national interest, and there should be no opposition to the passage of the bill. The institution will have to give the usual bond required in cases where arms and ammunition go to the State institutions, and there is a provision in the bill that they shall be returned whenever required. I yield to my colleague.

Mr. DAWSON. Mr. Speaker, it seems to me that on this 30th day of May it would be peculiarly fitting to pass this measure without one dissenting vote. [Applause.]

Mr. HAUGEN. I will not at this time detain the House by making a speech. I reserve the balance of my time and ask for a vote.

Mr. WILLIAMS. Mr. Speaker, I go further than the gentleman who last spoke. On this Memorial Day, in order to show all succeeding generations our patriotism, we ought not only to pass this bill but we ought to go on record in favor of it, and I hope when the roll is called, for which an opportunity will be given, it will disclose the fact that every Member present is in favor of the passage of the bill. [Laughter.]

The SPEAKER pro tempore. As many as favor suspending the rules and discharging the Committee of the Whole House on the state of the Union from the further consideration of the bill and passing the bill will say "aye," those opposed "no."

Mr. WILLIAMS. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

Mr. HEFLIN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Alabama makes the point of order that there is no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members; as many as are in favor of the motion will answer "aye," those opposed will answer "no," those present and not voting will answer "present," and the Clerk will call the roll.

The question was taken, and there were—yeas 188, answered "present" 18, not voting 182, as follows:

YEAS—188.

Adair	Driscoll	Howell, N. J.	Payne
Adamson	Dwight	Howell, Utah	Pollard
Aiken	Edwards, Ky.	Howland	Porter
Alexander, Mo.	Ellerbe	Hubbard, W. Va.	Pou
Alexander, N. Y.	Ellis, Mo.	Hughes, N. J.	Pray
Andrus	Ellis, Oreg.	Hull, Tenn.	Pujo
Ansberry	Fassett	Johnson, Ky.	Raney
Barchfield	Finley	Jones, Wash.	Randell, Tex.
Barclay	Fitzgerald	Kahn	Reeder
Bartholdt	Floyd	Kelber	Reynolds
Beale, Pa.	Focht	Kennedy, Iowa	Richardson
Beall, Tex.	Fordney	Kennedy, Ohio	Roberts
Bede	Foster, Ind.	Kinkaid	Rodenberg
Bell, Ga.	Fowler	Knapp	Rothermel
Bennett, Ky.	French	Landis	Russell, Mo.
Bonyne	Fulton	Langley	Ryan
Booher	Gaines, W. Va.	Lanling	Scott
Boutell	Gardner, N. J.	Law	Sims
Boyd	Garner	Lindbergh	Slayden
Brodhead	Garrett	Lloyd	Smith, Cal.
Broussard	Gilham	Longworth	Smith, Iowa
Burke	Gillespie	Loud	Smith, Mich.
Burleigh	Gillet	Loving	Smith, Mo.
Burnett	Glass	McCreary	Snapp
Burton, Del.	Gordon	McKinlay, Cal.	Spight
Burton, Ohio	Goulden	McKinley, Ill.	Stevens, Minn.
Calderhead	Graft	McKinney	Sturgiss
Caldwell	Graham	McLain	Tawney
Campbell	Granger	McLaughlin, Mich.	Taylor, Ohio
Candler	Gregg	Macon	Thistlewood
Capron	Hackett	Madison	Thomas, N. C.
Caulfield	Haggott	Mann	Tirrell
Chapman	Haie	Moore, Tenn.	Tou Velle
Clark, Mo.	Hamill	Murdoch	Volstead
Clayton	Hamilton, Mich.	Needham	Waldo
Cocks, N. Y.	Hamlin	Nicholls	Wanger
Cole	Harding	Norris	Watkins
Cooper, Tex.	Hardy	Nye	Weeks
Craig	Haugen	O'Connell	Weems
Crumpacker	Hawley	Olcott	Wheeler
Cushman	Hayes	Olmsted	Williams
Dalzell	Hefflin	Page	Wilson, Ill.
Davis, Minn.	Henry, Tex.	Parker, N. J.	Wilson, Pa.
Dawson	Hepburn	Parker, S. Dak.	Wood
De Armond	Hill, Conn.	Patterson	Woodyard
Dixon	Holliday		Young
Douglas			The Speaker

ANSWERED "PRESENT"—18.

Bannon	Flood	Rucker
Bennet, N. Y.	Foster, Ill.	Sheppard
Brundidge	Godwin	Washburn
Burgess	Henry, Conn.	
Burleson	Humphreys, Miss.	Padgett

NOT VOTING—182.

Acheson	Edwards, Ga.	Kipp	Perkins
Allen	Englebright	Kitchin, Claude	Peters
Ames	Esch	Kitchin, Wm. W.	Powers
Anthony	Fairchild	Knopf	Pratt
Ashbrook	Favrot	Knowland	Prince
Bartlett, Ga.	Ferris	Kuftermann	Ransdell, La.
Bartlett, Nev.	Fornes	Lafean	Rauch
Bates	Foss	Lamar, Fla.	Reld
Bingham	Foster, Vt.	Lamar, Mo.	Rhinock
Birdsall	Foulkrod	Lamb	Riordan
Bowers	Fuller	Lassiter	Robinson
Bradley	Gaines, Tenn.	Lawrence	Russell, Tex.
Brantley	Gardner, Mass.	Leake	Sabath
Brownlow	Gardner, Mich.	Lee	Saunders
Brumm	Gill	Legare	Shackelford
Butler	Goebel	Lenahan	Sherley
Byrd	Goldfogle	Lever	Sherman
Calder	Greene	Lewis	Sherwood
Carlin	Griggs	Lilly	Slemp
Carter	Gronna	Lindsay	Small
Cary	Hackney	Littlefield	Smith, Tex.
Chaney	Hall	Livingston	Southwick
Clark, Fla.	Hamilton, Iowa	Lorimer	Sparkman
Clock	Hardwick	Lowden	Sperry
Conner	Harrison	McCall	Stafford
Cook, Colo.	Haskins	McDermott	Stanley
Cook, Pa.	Hay	McGavin	Steenerson
Cooper, Pa.	Helm	McGuire	Stephens, Tex.
Cooper, Wis.	Higgins	McHenry	Sterling
Coudrey	Hill, Miss.	McLachlan, Cal.	Sulloway
Cousins	Hinschaw	McMillan	Sulzer
Cox, Ind.	Hitchcock	McMorrin	Talbott
Cravens	Hobson	Madden	Taylor, Ala.
Crawford	Houston	Malby	Thomas, Ohio
Currier	Howard	Marshall	Townsend
Darragh	Hubbard, Iowa	Maynard	Underwood
Davenport	Huff	Miller	Vreeland
Davey, La.	Hughes, W. Va.	Mondell	Wallace
Davidson	Hull, Iowa	Moon, Pa.	Watson
Dawes	Humphrey, Wash.	Moore, Pa.	Webb
Denby	Jackson	Mouser	Weisse
Denver	James, Addison D.	Mudd	Wiley
Diekema	James, Ollie M.	Nelson	Willett
Draper	Jenkins	Overstreet	Wolf
Dunwell	Johnson, S. C.	Parsons	
Durey	Jones, Va.	Pearre	

The Clerk announced the following additional pair:

Until further notice:

Mr. LOUDENSLAGER with Mr. BURLESON.

Mr. BANNON. I voted "aye," but I am paired with the gentleman from Kentucky [Mr. OLLIE M. JAMES] and I desire to change my vote to "present."

The SPEAKER. On this vote the yeas are 188, present 18—a quorum. The Doorkeeper will open the doors; the yeas have it, and the bill is passed.

CONFERENCE REPORT, PUBLIC-BUILDINGS BILL.

Mr. BARTHOLDT. Mr. Speaker, I move to suspend the rules and agree to the conference report on the bill (H. R. 21897) to increase the limit of cost of certain public buildings, to authorize the enlargement, the extension, remodeling, and improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes, which I send to the desk. I ask unanimous consent that the reading of the report may be dispensed with and the statement read in lieu thereof.

Mr. WILLIAMS. I object to that.

Mr. BARTHOLDT. It is well known to all of the Members, and I ask unanimous consent to make a statement in order to explain it.

Mr. WILLIAMS. To that I object.

The SPEAKER. The Clerk will read the conference report. The Clerk read as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 21897) to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 6, 9, 18, 31, 41, 50, 55, 57, 58, 67, 78, 79, 81, 84, 92, 109, 111, 112, 125, 127, 136, 138, 169, 173, 174, 176, 183, 184, 197, 198, 199, 200, 203.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 5, 7, 11, 12, 14, 15, 16, 17, 22, 23, 24, 26, 30, 32, 35, 37, 38, 39, 40, 42, 43, 45, 46, 47, 49, 51, 52, 53, 59, 61, 62, 63, 64, 65, 70, 72, 73, 76, 77, 80, 88, 89, 91, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 106, 110, 116, 118, 120, 121, 126, 128, 130, 131, 132, 133, 134, 135, 137, 139, 140, 141, 142, 143, 144, 146, 147, 148, 149, 150, 151, 152, 153, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 172, 177, 178, 179, 194, 201, and agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Cleveland, Ohio, seven hundred and seventy-five thousand dollars;" also, on page 9 of the bill, in line 4, strike out the word "eighty" and insert in lieu thereof the words "one hundred;" and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Toledo, Ohio, fifty thousand dollars;" and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Charleroi, Pa., forty thousand dollars;" and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Salt Lake City, Utah, one hundred and seventy-five thousand dollars: *Provided*, That not to exceed forty thousand dollars may be available for the acquisition of additional ground;" and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, so that same shall read as follows: "*Provided*, That of the amount heretofore authorized so much as may be necessary shall be available for the acquisition of a suitable site;" and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Colorado Springs, Colo., fifteen thousand dollars, said increase to be employed in substituting granite for sandstone;" and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, so that same shall read as follows: "*Provided*, That not to exceed six thousand two hundred and fifty dollars may be available for the acquisition of additional ground;" and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Portland, Me., ninety thousand dollars: *Provided*, That not to exceed twenty thousand dollars may be available for the acquisition of additional ground;" and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment to read as follows: "United States post-office and court-house at Duluth, Minn., \$95,000, for additional ground: *Provided*, That if at any time, should any portion of the ground now owned or hereafter to be acquired by the Government be used for street, park, or other purposes by the city of Duluth, the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to sell to said city any part of such ground, on such terms as he may deem to be for the best interests of the United States, and to deposit the proceeds of said sale in the Treasury of the United States, as a miscellaneous receipt: *Provided further*, That in no case shall any portion of the ground now owned or hereafter to be acquired by the Government be sold for less than its fair market value."

(On page 7 of the bill strike out lines 1, 2, and 3, and on page 42 insert the above section after line 2.)

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Grafton, W. Va., fifteen thousand dollars, in addition to ten thousand dollars heretofore authorized."

(On page 11 of the bill strike out line 25; on page 12 strike out lines 1 to 9, both inclusive, and insert the above section on page 49 of the bill after line 4.)

And the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at

Wheeling, W. Va., twenty thousand dollars: *Provided*, That the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to sell the old post-office, court-house, and custom-house building, and the site thereof, situate at the corner of Market and Sixteenth streets, in the city of Wheeling and State of West Virginia, at public or private sale, after proper advertisement, at such time and on such terms as he may deem to be to the best interests of the United States, and to execute a quitclaim deed to the purchaser thereof, and to deposit the proceeds of said sale in the Treasury of the United States as a miscellaneous receipt: *Provided*, That said building and site shall not be sold for any less sum than one hundred thousand dollars;" and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Wilmington, Del., one hundred and twenty thousand dollars;" and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Augusta, Ga., two thousand dollars;" and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Quincy, Ill., one hundred thousand dollars;" and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Hoboken, N. J., sixty thousand dollars: *Provided*, That not to exceed twenty thousand dollars may be available for the acquisition of additional ground;" and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Danville, Va., sixty thousand dollars;" and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Peru, Ind., seventy-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Shenandoah, Iowa, fifty thousand dollars;" and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Missoula, Mont., one hundred and fifteen thousand dollars;" and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Jonesboro, Ark., eighty thousand dollars;" and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Riverside, Cal., one hundred and ten thousand dollars;" and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Bristol, Conn., ninety thousand dollars, of which amount not to exceed thirty thousand dollars may be available for the acquisition of a suitable site: *Provided*, That the requirement herein contained that all sites selected under the provisions of this act shall be bounded on at least two sides by streets shall not be applicable to the acquisition of a site at Bristol;" and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, so that same shall read as follows: "United States post-office, court-house, and

custom-house at Miami, Fla., one hundred and seventy-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Independence, Kans., seventy-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Parsons, Kans., seventy-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Maryville, Mo., fifty thousand dollars;" and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Goldfield, Nev., seventy-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Plainfield, N. J., one hundred thousand dollars;" and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Roswell, N. Mex., one hundred and twenty-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Wilson, N. C., sixty thousand dollars;" and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment, so that same shall read as follows:

"That for the purpose of beginning the construction of a suitable and commodious fireproof building for the accommodation of the United States post-office, United States courts, and other governmental offices at Muskogee, Okla., fifty thousand dollars: *Provided*, That this authorization shall not be construed as fixing the limit of cost of said building at the sum hereby named, but the building hereby provided for shall be constructed or planned so as to cost, complete, including fireproof vaults, heating and ventilating apparatus, and approaches, but exclusive of site, not exceeding two hundred thousand dollars.

"The Secretary of the Treasury be, and he is hereby, authorized and directed to enter into contracts for the construction of a suitable building for said purposes, to be designated by said Department, within the ultimate limit of cost above mentioned: *Provided*, That of the amount fixed as the ultimate limit of cost not to exceed fifty thousand dollars may be expended during the fiscal year ending June thirtieth, nineteen hundred and nine."

On page 33 of the bill strike out all of lines 3 and 4, and insert the section on page 63, after line 25.

And the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment so that same shall read as follows: "United States post-office and court-house at Big Stone Gap, Va., one hundred thousand dollars."

Also, on page 36, in line 1, after the word "post-office," insert the words "and court-house."

And the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and custom-house at Everett, Wash., one hundred and thirty thousand dollars;" and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Walla Walla, Wash., one hundred and forty thousand dollars;" and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107,

and agree to the same with an amendment, so that same shall read as follows: "*Provided*, That of this amount so much as may be necessary shall be available for the acquisition of a suitable site;" and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Rock Springs, Wyo., seventy-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Greeley, Colo., fifteen thousand dollars;" and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment, so that same shall read as follows:

"United States post-office at Live Oak, Fla., seven thousand five hundred dollars.

"United States post-office at Lewes, Del., five thousand dollars."

And the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Augusta, Ga., thirty-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Cartersville, Ga., seven thousand five hundred dollars;" and the Senate agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Chicago, Ill., one million two hundred and fifty thousand dollars;" and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Abilene, Kans., seven thousand five hundred dollars;" and the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Bardstown, Ky., ten thousand dollars;" and the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Cynthiana, Ky., ten thousand dollars;" and the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Aurora, Mo., ten thousand dollars;" and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Bellaire, Ohio, twenty thousand dollars;" and the Senate agree to the same.

Amendment numbered 154: That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Brookings, S. Dak., seven thousand five hundred dollars;" and the Senate agree to the same.

Amendment numbered 175: That the Senate recede from its disagreement to the amendment of the Senate numbered 175, and agree to the same with an amendment, so that same shall read as follows:

"Sec. 12. That the provision contained in the act approved June 30, 1906, authorizing and directing the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, such additional land as he may deem necessary for the enlargement of the present site and to enter into contracts for the enlargement, extension, remodeling, or improvement of the United States subtreasury building at San Francisco, Cal., at a limit

of cost of three hundred and seventy-five thousand dollars, be, and the same is hereby, amended so as to authorize and direct the Secretary of the Treasury, in his discretion, to acquire, by purchase, condemnation, or otherwise, a suitable new site for or to enlarge the present site of the United States subtreasury at San Francisco, Cal., at a cost not to exceed the said sum of three hundred and seventy-five thousand dollars."

And the Senate agree to the same.

Amendment numbered 180: That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment, so that same shall read as follows: "Provided, That such plans and estimates be prepared under the direction of the Secretary of the Treasury;" and the Senate agree to the same.

Amendment numbered 181: That the House recede from its disagreement to the amendment of the Senate numbered 181, and agree to the same with an amendment, so that same shall read as follows:

"SEC. 17. That a commission consisting of the Assistant Secretary of War, the general commanding the militia of the District of Columbia, the officer in charge of public buildings and grounds at Washington, D. C., and the Superintendent of the United States Capitol Building and Grounds be, and is hereby, created, which shall cause plans and estimates to be prepared for a suitable armory for the National Guard of the District of Columbia, and report the estimated cost thereof to the Congress: *Provided*, That such plans and estimates be prepared under the supervision of the Secretary of the Treasury.

"And for the expense of said commission a sum not to exceed two thousand five hundred dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended on vouchers approved by the chairman of said commission."

And the Senate agree to the same.

Amendment numbered 186: That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment, so that same shall read as follows: "Two hundred and fifty thousand dollars;" and the Senate agree to the same.

Amendment numbered 192: That the House recede from its disagreement to the amendment of the Senate numbered 192, and agree to the same with an amendment, so that same shall read as follows: "Three hundred thousand dollars;" and the Senate agree to the same.

Amendment numbered 202: That the House recede from its disagreement to the amendment of the Senate numbered 202, and agree to the same with an amendment as follows: On page 82, in line 16, strike out the number "31" and insert in lieu thereof the number "27;" and the Senate agree to the same.

Amendment numbered 204: That the House recede from its disagreement to the amendment of the Senate numbered 204, and agree to the same with an amendment, so that same shall read as follows:

"SEC. 28. That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, for the use and accommodation of the United States Departments of State, Justice, and Commerce and Labor, the whole of squares numbered two hundred and twenty-six, two hundred and twenty-seven, two hundred and twenty-eight, two hundred and twenty-nine, and two hundred and thirty, in the city of Washington, D. C., and the sum of two million five hundred thousand dollars, or so much thereof as may be necessary to pay for the land so acquired, is hereby authorized.

"That part of C street, Ohio avenue, D street, and E street lying between the squares named herein is hereby made a part of the site authorized by this act. That should the Secretary of the Treasury decide to institute condemnation proceedings in order to secure any or all of the land herein authorized to be acquired, such proceedings shall be in accordance with the provisions of the act of Congress approved August thirtieth, eighteen hundred and ninety, providing a site for the enlargement of the Government Printing Office (United States Statutes at Large, volume twenty-six, chapter eight hundred and thirty-seven)."

And the Senate agree to the same.

Amendment numbered 205: That the House recede from its disagreement to the amendment of the Senate numbered 205, and agree to the same with an amendment as follows: On page 84 of the bill, in line 15, after the word "million," strike out the word "eight" and insert in lieu thereof the word "six," so that said section shall read as follows:

"SEC. 29. That for the purpose of beginning the construction of a suitable and commodious fireproof building for the accommodation of the United States post-office, United States courts, and other governmental offices at Denver, Colo., fifty thou-

sand dollars: *Provided*, That this authorization shall not be construed as fixing the limit of cost of said building at the sum hereby named, but the building hereby provided for shall be constructed or planned so as to cost, complete, including fireproof vaults, heating and ventilating apparatus, and approaches, but exclusive of site, not exceeding one million six hundred thousand dollars.

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to enter into contracts for the construction of a suitable building for said purposes, to be designated by said Department, within the ultimate limit of cost above mentioned: *Provided*, That of the amount fixed as the ultimate limit of cost not to exceed fifty thousand dollars may be expended during the fiscal year ending June thirtieth, nineteen hundred and nine."

And the House agree to the same.

Amendment numbered 206: That the House recede from its disagreement to the amendment of the Senate numbered 206, and agree to the same with an amendment, so that same shall read as follows:

"SEC. 30. That the sum of ten thousand dollars be, and the same is hereby, authorized, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, to aid in the erection and completion of a memorial structure at Point Pleasant, W. Va., to commemorate the battle of the Revolution fought at that point between the colonial troops and Indians October tenth, seventeen hundred and seventy-four: *Provided*, That no part of said appropriation shall be expended until the site and plans for said monument or memorial shall be approved by the Secretary of War and the grounds on which said monument or memorial is to be located shall be dedicated to the use of the public and provisions is made for opening and maintaining an open highway thereto."

And the Senate agree to the same.

Amendment numbered 182: That the Senate recede from its disagreement to the amendment of the Senate numbered 182, and agree to the same with an amendment as follows: Strike out "16" and insert "18;" and the House agree to the same.

Amendment numbered 185: That the Senate recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with an amendment as follows: Strike out "17" and insert in lieu thereof "18;" and the House agree to the same.

Amendment numbered 187: That the Senate recede from its disagreement to the amendment of the Senate numbered 187, and agree to the same with an amendment as follows: Strike out "18" and insert "19;" and the House agree to the same.

Amendment numbered 188: That the Senate recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows: Strike out "19" and insert "20;" and the Senate agree to the same.

Amendment numbered 189: That the Senate recede from its disagreement to the amendment of the Senate numbered 189, and agree to the same with an amendment as follows: Strike out "20" and insert "21;" and the House agree to the same.

Amendment numbered 190: That the Senate recede from its disagreement to the amendment of the Senate numbered 190, and agree to the same with an amendment as follows: Strike out "21" and insert "22;" and the House agree to the same.

Amendment numbered 191: That the Senate recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with an amendment as follows: Strike out "22" and insert "23;" and the House agree to the same.

Amendment numbered 193: That the Senate recede from its disagreement to the amendment of the Senate numbered 193, and agree to the same with an amendment as follows: Strike out "23" and insert "24;" and the House agree to the same.

Amendment numbered 195: That the Senate recede from its disagreement to the amendment of the Senate numbered 195, and agree to the same with an amendment as follows: Strike out "24" and insert "25;" and the Senate agree to the same.

Amendment numbered 196: That the Senate recede from its disagreement to the amendment of the Senate numbered 196, and agree to the same with an amendment as follows: Strike out "25" and insert "26;" and the House agree to the same.

Amendment numbered 207: That the Senate recede from its disagreement to the amendment of the Senate numbered 207, and agree to the same with an amendment as follows: Strike out the number "36," in line 14, on page 85, and insert in lieu thereof the number "31;" and the Senate agree to the same.

Amendment numbered 208: That the Senate recede from its disagreement to the amendment of the Senate numbered 208, and agree to the same with an amendment as follows: Strike out number "37," on page 85, in line 21, and insert in lieu thereof the number "32;" and the House agree to the same.

Amendment numbered 209: That the Senate recede from its disagreement to the amendment of the Senate numbered 200, and agree to the same with an amendment as follows: On page 86, in line 6, strike out the number "38" and insert in lieu thereof the number "33;" and the House agree to the same.

Amendment numbered 210: That the Senate recede from its disagreement to the amendment of the Senate numbered 210, and agree to the same with an amendment as follows: On page 86, in line 22, strike out the number "39" and insert in lieu thereof the number "34;" and the House agree to the same.

Amendment numbered 211: That the Senate recede from its disagreement to the amendment of the Senate numbered 211, and agree to the same with an amendment as follows: On page 87, in line 15, strike out the number "40" and insert in lieu thereof the number "35;" and the House agree to the same.

Amendment numbered 212: That the Senate recede from its disagreement to the amendment of the Senate numbered 212, and agree to the same with an amendment as follows: On page 87, in line 24, strike out the number "41" and insert in lieu thereof the number "36;" and the Senate agree to the same.

Amendment numbered 213: That the Senate recede from its disagreement to the amendment of the Senate numbered 213, and agree to the same with an amendment as follows: On page 88, in line 1, strike out the number "42" and insert in lieu thereof the number "37;" and the House agree to the same.

RICHARD BARTHOLDT,
E. C. BURLEIGH,
W. G. BRANTLEY,

Managers on the part of the House.

N. B. SCOTT,
F. E. WARREN,
C. A. CULBERSON,

Managers on the part of the Senate.

The SPEAKER. Is a second demanded?

Mr. WILLIAMS. Mr. Speaker, I demand a second.

The SPEAKER. Under the rule a second is ordered. The gentleman from Missouri is entitled to twenty minutes and the gentleman from Mississippi to twenty minutes.

Mr. BARTHOLDT. Mr. Speaker, I have here a statement signed by the three conferees of the House, and out of consideration for the gentlemen who are acting as reading clerks, and whose voices have been ruined, whose health and life have been impaired by the filibuster, I propose to read it myself—

Mr. WILLIAMS. Mr. Speaker, I either make the point of order or suggest that the gentleman proceed and that I be allowed to proceed upon the same line after he is through.

The SPEAKER. The Chair understands that the gentleman is addressing himself to the question before the House?

Mr. WILLIAMS. Then I shall not make the point of order, but will call the attention of the House to the fact, so that when I follow him along the same line nobody will make the point of order against me.

The SPEAKER. The Chair understands from the gentleman from Missouri [Mr. BARTHOLDT] that he is proceeding to read the statement, inasmuch as his request that the statement be read in lieu of the report was refused. The statement does not have to be read, except as the gentleman may elect.

Mr. WILLIAMS. That is very true, but the gentleman was going on to give his reasons—

The SPEAKER. The gentleman from Missouri is entitled to read the statement, or any portion thereof, if he sees proper to do so in his own time, in debate.

Mr. WILLIAMS. I have made no objection to that, nor have I suggested that there possibly could be a point of order made against it.

The SPEAKER. Then what was the suggestion?

Mr. WILLIAMS. The gentleman was going on and talking about what he chooses to call a filibuster, which has nothing to do with reading the statement.

The SPEAKER. The gentleman will proceed in order.

Mr. BARTHOLDT. Mr. Speaker, I submit in all candor that instead of sending this report to the Clerk's desk I merely proposed to read it myself out of consideration for the reading clerks.

The SPEAKER. The gentleman from Missouri must understand that he reads it in his twenty minutes' time.

Mr. BARTHOLDT. I understand that, Mr. Speaker. The statement is as follows:

STATEMENT.

The main items in the public building bill on which the two Houses disagreed were those relating to the erection of a new Department building in the city of Washington, the purchase

of an embassy building at Paris, France, the acquisition of certain tracts of land for public parks in the city of Washington, and the amount of the appropriation to complete the Federal building at Cleveland, Ohio. Upon all these points the Senate receded. The provision for a new Department building was amended so as to provide merely for the acquisition of a site and the authorization for that purpose was reduced from \$3,000,000 to \$2,500,000. The authorization relative to the embassy building at Paris was stricken out, as were all of the provisions in regard to the purchase of land for public parks. The authorization for the Cleveland building, which was \$850,000 in the House bill, and which was reduced by the Senate to \$500,000, was fixed at \$775,000. With these questions settled in the manner indicated a complete agreement was reached.

The House yielded to the individual demands of Senators which were embodied as Senate amendments for building facilities in their respective States.

It should also be stated that in nearly all cases in which items contained in the original House bill had been reduced or stricken out the original authorizations were restored, but the House receded in the case of Denver, where a general public building was authorized at an ultimate limit of cost of \$1,600,000, and Muskogee, Okla., where, the same as in the case of Denver, a small authorization was made for the beginning of a Federal building at an ultimate limit of cost of \$200,000. The House had originally declined to take action with regard to these authorizations.

The House also receded in the matter of the extension of the court-house at Washington, D. C., and the Senate agreed with respect to the erection of an armory building in the Capital City to the creation of a commission for that purpose, leaving out the designation of a site.

Leaving out of consideration the matter of the authorization for the site for the new Department building, the reductions of the bill as a result of the conference amount to over \$2,250,000.

RICHARD BARTHOLDT,
E. C. BURLEIGH,
W. G. BRANTLEY,

Managers on the part of the House.

I desire to add to this statement that this bill carries no appropriation whatsoever, and if the provisions of the bill are to be given effect and carried out it will be necessary to carry an item in the general deficiency appropriation bill, which is still to be acted upon by this House. I reserve the balance of my time.

Mr. WILLIAMS. Mr. Speaker, before I begin I would like to ask the gentleman upon what date this conference agreement was entered into between the House and Senate conferees.

Mr. BARTHOLDT. On May 23.

Mr. WILLIAMS. I would like to ask the gentleman where the conference report has been from May 23 until to-day?

Mr. BARTHOLDT. The conference report has been in the hands of the chairman of the House conferees.

Mr. WILLIAMS. And has not been in the possession of either House—has been in the personal possession of the chairman of the House conferees?

Mr. BARTHOLDT. As is customary.

Mr. WILLIAMS. And is to-day reported for the first time?

Mr. BARTHOLDT. Yes.

Mr. WILLIAMS. Seven days ago it was agreed upon. Mr. Speaker, I suppose that at some time in the remote future, when most of the parties to the transaction are dead, just precisely why this conference report was kept seven days will be known to the world. If the President should veto the bill, inquiry will be active. I saw, the other day, what seemed to me so improbable a statement of the reason for it that I attached no credence to it. I did not attach any credence to it, because I knew the gentleman from Missouri [Mr. BARTHOLDT] so well, and his kindly disposition, his indisposition to bulldoze anybody—he is so mild-mannered a man—that I could not believe the report.

The report was to the effect that the gentleman from Missouri had gone to the Speaker and coerced the Speaker of this House by telling him that unless some currency legislation was enacted at this session that he, the gentleman from Missouri, would not permit the conference report upon the public buildings bill to come before the House at all. [Laughter and applause.] I could imagine the gentleman from Missouri bulldozing me, because I am a little man and dressed in no brief authority, but I did not believe that the gentleman from Missouri had gone to that august personage who holds this entire House in the hollow of his hand, and had been making him walk a straight line upon a proposition of that sort.

But, Mr. Speaker, if that report were true, what a horrible thing it would be to contemplate in its consequences. Think

of it? The gentleman from Missouri would hereafter be held solely responsible for the double iniquity which a moment ago passed the Senate in the shape of the Aldrich-Cannon currency bill. I am not inclined to put the whole burden of that iniquity upon him. I am inclined to think the Speaker of the House of Representatives could have gotten the conference report on the public buildings bill before the House in spite of the gentleman from Missouri if he had been desirous of doing so. I am a little bit inclined to think that another charge made in the public prints to the effect there was some running partnership between those two high potencies—the Speaker and Mr. BARTHOLDT—must have existed at the same time. But, Mr. Speaker, if either of those statements were true—and I can not believe that either is, because I have too much respect for the opinion which I believe the Speaker and the gentleman from Missouri must entertain for the House to believe either one of them—but if either of those two statements were true, into what contempt in the opinion of the Speaker or the opinion of the gentleman from Missouri, or the opinion of both, must we, the Members of the American House of Representatives, have come. To be coerced into the enactment of legislation that was not desired in order that we might recommend ourselves to our constituencies by the appropriations contained in a public buildings bill! To be set before the entire world as a set of bribe takers who, for the sake of what newspapers call “a pork barrel,” would be willing to vote anything up or down!

Mr. Speaker, I for one believe that these yellow journals must have been slandering our Speaker or the gentleman from Missouri, or both, for I can not believe that the Speaker or the gentleman from Missouri, either one, would have slandered the manhood and the honor and the independence and the integrity of the Members of the American House of Representatives. [Applause.] If such a thing had been done, it would be a new departure in legislation—to coerce Members into expressing views by their vote upon the most delicate of all great questions, affecting 80,000,000 of people in their currency, and hence in their prosperity and their business, for the sake of a few little public buildings in the various districts in the United States. Mr. Speaker, I do not believe there will be any great opposition to this bill. [Laughter.] As far as I am able to learn, the bill is very well—

Mr. RODENBERG. They are willing to be coerced.

Mr. WILLIAMS. As the gentleman from Illinois [Mr. RODENBERG], who is always witty even when he does not rise to his feet, says, I suppose the Members of the House are willing to be coerced as far as this particular bill is concerned. There may have been some who, if the policy that was charged as having been pursued had been pursued, would not otherwise have been willing to have been coerced upon the other, the currency, bill, and there may have possibly been some who voted upon the currency bill in a way they did not want to vote, because this bill had not yet been returned to the House and was held back as a club in the air that might at any time swiftly descend upon their devoted heads.

I am not ready altogether to believe that either. The methods of legislating in the House of Representatives are beginning to attract public attention, and if this charge, which can not be true unless Members are false, be true it would, perhaps, attract more attention than any other to which public attention has been recently called. It would show a degree of degradation in the House of American Representatives that would deprive the American people of the right to claim the character, which they have hitherto borne, of being thus far capable of self-government; that they were capable of selecting independent, honest, and intelligent Representatives to serve in the National House of Representatives. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. BARTHOLDT. How much time have I left, Mr. Speaker?

The SPEAKER. Sixteen minutes. [Cries of “Vote.”]

Mr. BARTHOLDT. I yield three minutes to the gentleman from Minnesota [Mr. TAWNEY].

Mr. TAWNEY. Mr. Speaker, I want simply to call to the attention of the House the fact and to emphasize the statement made by the gentleman from Missouri [Mr. BARTHOLDT] that this bill, while authorizing the construction of public buildings, carries no appropriation whatever for executing the authorizations covered in the bill. The appropriations necessary to carry out the authorizations are contained in the general deficiency appropriation bill. The conferees between the two Houses on the general deficiency appropriation bill have reached a final agreement. The report has been signed and is now in the Senate and, I understand, is being considered at this time. Therefore, in order to carry out the authorizations that are carried in this bill, it will be necessary for us to adopt the conference report on the general deficiency bill, and also neces-

sary for Members of the House to remain in the House until the conference report is received from the Senate, when it will be adopted, and then the appropriations for the authorizations carried in this bill will have been made.

Mr. BARTHOLDT. Does the gentleman from Mississippi [Mr. WILLIAMS] want any more time on his side? I do not care to detain the House beyond saying in reply to the few remarks of the gentleman from Mississippi that the little personal filibuster which I inaugurated here was a sensible one, in my judgment, in contradistinction to certain other filibusters. [Laughter.] At least a hundred Members of this House have come to me during the last ten days and stated that if it was not for this public buildings bill they would have to go home, because other important business was hardly to be expected.

Mr. FITZGERALD. Were they Republicans, mostly?

Mr. BARTHOLDT. So the gentleman from Mississippi [Mr. WILLIAMS] can see that there might be a little difference as between theory and practice. In reply to the gentleman from New York [Mr. FITZGERALD], I will say that they were Members from both sides of the House. And for the purpose of enabling this House to do business to the end, I have inaugurated this filibuster upon my own responsibility, and I want to be held responsible for it. [Applause.] I ask for a vote, Mr. Speaker.

The SPEAKER. Does the gentleman reserve the remainder of his time?

Mr. BARTHOLDT. Yes.

Mr. WILLIAMS. In response to the gentleman from Missouri [Mr. BARTHOLDT]: One remark which he made seems to me to reflect more upon the House than anything I had supposed or anything that I had referred to as being mentioned in the newspapers.

He solemnly stated that a hundred Members of this House, more or less—of course he does not intend to be mathematically correct—have been to him to compliment him upon indulging in what he calls “his little personal filibuster,” and they have agreed with him in this: That a majority or quorum could not be kept in the House of Representatives here except for a public building bill; that you could not keep a quorum of the House here to consider a currency bill affecting eighty millions of people of the United States; that you could not have kept a House if you had given them a chance to vote upon an anti-injunction bill; that you could not have kept a House here to consider a pre-election campaign contribution publicity bill nor to consider injunction legislation; that you could not have kept a House here for any real public and unselfish purpose; but that you had to have a bill with public buildings or something else in it appealing to the selfishness of the individual Members in order to make the Members stay at their post of duty and attend to the public business.

Now, if the gentleman from Missouri [Mr. BARTHOLDT] intends to brand this Republican House as a House of that sort, that is his affair. It is not mine. Now, Mr. Speaker, the gentleman from Missouri need not have bothered himself about keeping a quorum.

We were going to keep a quorum here. The Democratic side was going to keep a quorum here [applause on the Democratic side], or furnish its part and make you furnish the balance, because you could not fix the date to adjourn without it; you could not pass any other bill without it. And all this idea that a public-buildings bill had to be kept in the pocket of a Member seven days without consideration by the House, and thus run the risk of a Presidential veto, so that Members of Congress, who are honorable gentlemen and industrious public servants and devoted to the public interests and the affairs of their constituents, could be kept at the post of duty, is a reflection upon the entire House, including the gentleman himself.

Now, Mr. Speaker, I do not think that the American House of Representatives has sunk so low that it can not be kept at its post of duty in order to attend to public affairs of general interest without any regard to the fact as to whether the particular Member has a particular appropriation in some particular bill or not. Or, if that be true, then let you gentlemen who form a majority of this House, and who upon your side of the Chamber constitute a quorum, and who could, by simply doing your duty, furnish a quorum of your own selves without the assistance of a single Democrat, go home and explain to your constituents why it is true.

Mr. CLAYTON. May I interrupt the gentleman from Mississippi?

Mr. WILLIAMS. Certainly.

Mr. CLAYTON. It is true that it would be possible for the Republican side of this House to furnish a quorum here, but is it not true that for the last ten days or two weeks, frequently there would not have been a quorum had it not been for the patriotism of the Democrats in keeping a quorum? [Laughter]

and applause on the Democratic side. Derisive laughter on the Republican side.]

Mr. WILLIAMS. It is not only true that "frequently" in the last two or three weeks the Republicans of this House, although in a large majority, have not furnished a quorum to do business in the House of Representatives; but it is furthermore true, in my opinion, that there have not been two days during the last two or three weeks that they furnished a quorum of themselves without Democratic assistance. [Applause on the Democratic side.]

Now, the gentleman has gone out of his way to talk about a filibuster, as he calls it. A filibuster is a thing where Members try to break a quorum, and where you attempt, by resorting to tampering methods, to prevent legislation. We have been doing but the one thing we started out to do—to rivet attention upon the fact that certain legislation had not passed and would not pass, and, although called Roosevelt or Republican policies, were not desired by Republicans here or in the White House to pass. Mr. Speaker, the newspapers stated this morning that last night there were only twenty Members more than a quorum in the city.

Now, Mr. Speaker, I do not care to say anything more, and I reserve the balance of my time. Unless some time is consumed upon the other side, I have done. [Cries of "Vote!"]

Mr. BARTHOLOTT. Before a vote is taken, Mr. Speaker, I merely wish to say this in reply to the gentleman: Unless my friend from Mississippi questions the truthfulness of my statement that a large number of the Members of this House, on both sides of the Chamber, have come to me and made the statement that they would have gone home but for the public building bill—unless he questions that statement, then we are simply confronted by a condition and not a theory.

Mr. WILLIAMS. Of course I question the truthfulness of no statement made by the gentleman from Missouri or anybody else. But what I said was, that being true, it was a horrible reflection upon the character of this Republican House.

Mr. BARTHOLOTT. And the Democratic Members of it.

Mr. WILLIAMS. Well, this House; and it is a Republican House. [Cries of "Vote!"]

Mr. BARTHOLOTT. I want to say, further, that if the lecture which the gentleman has just now administered is applicable, it is as well, if not more strongly, applicable to the Democratic side than to the Republican side [Cries of "Oh, oh!" on the Democratic side], for the reason that, proportionately, there have always been more Republicans in their seats than Democrats.

Mr. WILLIAMS. That I question.

Mr. BARTHOLOTT. Now, Mr. Speaker, I call for a vote.

The SPEAKER pro tempore (Mr. CAPRON). The gentleman from Missouri moves to suspend the rules and agree to the conference report.

Mr. WILLIAMS. Mr. Speaker, in order to save the time of the House, I demand the yeas and nays.

The yeas and nays were ordered.

Mr. FOSTER of Indiana. I make the point of no quorum.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and sixteen present; a quorum. The Clerk will proceed to call the roll.

The question was taken, and there were—yeas 216, nays 4, answered "present" 8, not voting 160, as follows:

YEAS—216.

Adair	Clark, Fla.	Fulton	Holliday
Adamson	Clark, Mo.	Gaines, W. Va.	Houston
Aiken	Clayton	Gardner, N. J.	Howell, N. J.
Alexander, N. Y.	Cocks, N. Y.	Garner	Howell, Utah
Andrus	Cole	Garrett	Howland
Ansberry	Cook, Colo.	Gilbams	Hubbard, W. Va.
Barchfeld	Cooper, Tex.	Gillespie	Hughes, N. J.
Barelay	Cox, Ind.	Gillett	Hull, Tenn.
Bartholdt	Craig	Glass	Humphrey, Wash.
Beale, Pa.	Cushman	Godwin	Humphreys, Miss.
Beall, Tex.	Dalzell	Gordon	Johnson, Ky.
Bede	Darragh	Goulden	Jones, Va.
Beil, Ga.	Davenport	Graff	Jones, Wash.
Bennett, Ky.	Davis, Minn.	Graham	Kahn
Bonyng	Dawson	Granger	Kelley
Booher	De Armond	Gregg	Kelther
Boutell	Dixon	Hackett	Kennedy, Iowa
Bowers	Douglas	Hackney	Kennedy, Ohio
Boyd	Driscoll	Haggott	Kimball
Brodhead	Dwight	Hale	Knapp
Broussard	Edwards, Ky.	Hamill	Landis
Burke	Ellerbe	Hamilton, Mich.	Langley
Burleigh	Ellis, Mo.	Hamlin	Lanning
Burnett	Ellis, Oreg.	Hammond	Lindbergh
Burton, Del.	Esch	Harding	Lloyd
Burton, Ohio	Fassett	Hardy	Loud
Butler	Ferris	Haugen	Loudenslager
Calderhead	Finley	Hawley	Lovering
Caldwell	Floyd	Hay	McCreary
Campbell	Focht	Hayes	McHenry
Candler	Fordney	Hefflin	McKinlay, Cal.
Capron	Foster, Ill.	Henry, Conn.	McKinley, Ill.
Carter	Foster, Ind.	Henry, Tex.	McKinney
Caulfield	Fowler	Hepburn	McLain
Chapman	French	Hill, Conn.	

McLaughlin, Mich.
Macon
Madison
Mann
Maynard
Moon, Tenn.
Moore, Tex.
Morse
Murdoch
Murphy
Needham
Nicholls
Norris
Nye
O'Connell
Olcott
Olmsted
Padgett
Page
Parker, N. J.
Parker, S. Dak.
Patterson
Payne
Pollard
Porter
Pou
Pray
Pujo
Rainey
Randell, Tex.
Rauch
Reeder
Reynolds
Richardson
Roberts
Rosenberg
Rothermel
Rucker

Russell, Mo.
Ryan
Sabath
Scott
Sims
Slayden
Smith, Cal.
Smith, Iowa
Smith, Mich.
Smith, Mo.
Snapp
Sparkman
Spight
Stephens, Tex.
Stevens, Minn.
Sturgiss
Tawney
Taylor, Ohio
Thistlewood

Thomas, N. C.
Tirrell
Tou Velle
Voistead
Vreeland
Wanger
Washburn
Watkins
Webb
Weeks
Weems
Wheeler
Williams
Wilson, Ill.
Wilson, Pa.
Wood
Woodard
Young
The Speaker

NAYS—4.

Alexander, Mo.

Crumpacker

Fitzgerald

Longworth

ANSWERED "PRESENT"—8.

Bannon
Bennet, N. Y.

Brundidge
Burgess

Burleson
Lever

Russell, Tex.
Sheppard

NOT VOTING—160.

Acheson
Allen
Ames
Anthony
Ashbrook
Bartlett, Ga.
Bartlett, Nev.
Bates
Bingham
Birdsall
Bradley
Brantley
Brownlow
Browne
Byrd
Calder
Carlin
Cary
Chaney
Cockran
Conner
Cook, Pa.
Cooper, Pa.
Cooper, Wis.
Coudry
Cousins
Cravens
Crawford
Currier
Davey, La.
Davidson
Dawes
Denby
Denver
Diekema
Draper
Dunwell
Durey
Edwards, Ga.
Englebright

Fairchild
Favrot
Flood
Fornes
Foss
Foster, Vt.
Foulkrod
Fuller
Gaines, Tenn.
Gardner, Mass.
Gardner, Mich.
Gill
Goebel
Goldfogle
Greene
Griggs
Gronna
Hall
Hamilton, Iowa
Hardwick
Harrison
Haskins
Helm
Higgins
Hill, Miss.
Hinshaw
Hitchcock
Hobson
Howard
Hubbard, Iowa
Huff
Hughes, W. Va.
Hull, Iowa.
Jackson
James, Addison D.
James, Ollie M.
Jenkins
Johnson, S. C.
Kipp
Kitchin, Claude

Kitchin, Wm. W.
Knopf
Knowland
Klistermann
Lafean
Lamar, Fla.
Lamar, Mo.
Lamb
Lassiter
Law
Lawrence
Leake
Lee
Legare
Lenahan
Lewis
Lilley
Lindsay
Littlefield
Livingston
Lorimer
Lowden
McCall
McDermott
McGavin
McGuire
McLachlan, Cal.
McMillan
McMorran
Madden
Malby
Marshall
Miller
Mondell
Moon, Pa.
Moore, Pa.
Mouser
Mudd
Nelson
Overstreet

Parsons
Pearre
Perkins
Peters
Powers
Pratt
Prince
Ransdell, La.
Reid
Rhinoek
Riordan
Robinson
Saunders
Shackelford
Sherley
Sherman
Sherwood
Slemp
Small
Smith, Tex.
Southwick
Sperry
Stafford
Stanley
Steenerson
Sterling
Sullivan
Suizer
Talbot
Taylor, Ala.
Thomas, Ohio
Townsend
Underwood
Waldo
Wallace
Watson
Weisse
Wiley
Willett
Wolf

So the conference report was agreed to.

Mr. FOSTER of Illinois. I have a pair with the gentleman from Indiana, Mr. CHANEY, but I am informed that if present he would vote "aye," and I have voted "aye."

Mr. PADGETT. Did the gentleman from Illinois, Mr. Foss, vote?

The SPEAKER. He did not.

Mr. PADGETT. I desire to say that I have a general pair with the gentleman from Illinois, Mr. Foss, but I am informed by his colleagues that if present he would vote "aye." I voted "aye," and I allow my vote to stand.

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill of the following title:

H. R. 21946. An act making appropriations to supply deficiencies in the appropriation for the fiscal year ending June 30, 1908, and prior years, and for other purposes.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 21052) to amend sections 11 and 13 of the act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," numbered 5, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. DILLINGHAM, Mr. PENROSE, and Mr. McLAURIN as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bill and joint resolution of the following titles: H. R. 22212. An act granting an increase of pension to Byron

C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Alleman; and

H. J. Res. 197. Joint resolution authorizing the employment of clerical services in the Department of Justice.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 208) for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 21003) fixing the compensation of certain officials in the customs service, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALDRICH, Mr. HALE, and Mr. TELLER as the conferees on the part of the Senate.

PENSION TO TEXAS VOLUNTEERS.

Mr. LOUDENSLAGER. Mr. Speaker, I move to take from the Speaker's table the bill (S. 5581) pensioning the surviving officers and enlisted men of the Texas volunteers employed in the defense of the frontier of that State against Mexican marauders and Indian depredations from 1855 to 1860, inclusive, and for other purposes; and I move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from New Jersey moves to suspend the rules and take from the Speaker's table and pass a Senate bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the provisions, limitations, and benefits of an act entitled "An act granting pensions to survivors of the Indian wars of 1832 to 1842, inclusive, known as the 'Black Hawk war,' 'Creek war,' 'Cherokee disturbances,' and the 'Seminole war,'" approved July 27, 1892, be, and the same is hereby, extended from the date of the passage of this act to the surviving officers and enlisted men of the Texas volunteers who served in the defense of the frontier of that State against Mexican marauders and Indian depredations from the year 1855 to the year 1860, inclusive; and also to include the surviving widows of such of said officers and enlisted men: *Provided*, That such widows have not remarried: *Provided further*, That where there is no record of enlistment or muster into the service of the United States in the service mentioned in this act the fact of reimbursement to Texas by the United States, as evidenced by the muster rolls and vouchers on file in the War Department, shall be accepted as full and satisfactory proof of such enlistment and service: *And provided further*, That all contracts heretofore made between the beneficiaries under this act and pension attorneys and claim agents are hereby declared null and void.

The SPEAKER. Is a second demanded?

Mr. MANN. I demand a second.

The SPEAKER. The gentleman from Illinois demands a second. Under the rule a second is ordered. The gentleman from New Jersey [Mr. LOUDENSLAGER] is entitled to twenty minutes and the gentleman from Illinois [Mr. MANN] to twenty minutes.

Mr. LOUDENSLAGER. Mr. Speaker, I do not desire to consume much of the time of the House. This bill is identical, word for word, with a bill (H. R. No. 1) introduced by the gentleman from Texas [Mr. BURLESON] reported from the Committee on Pensions unanimously, and it simply extends the provisions of the act of July 27, 1892, to the veterans and survivors of the Texas volunteers against Mexican marauders and against Indian depredations in the Southwest, which occurred during the period from 1855 to 1860. It is purely a dependent pension bill for the survivors of that service. It is forty-eight years since the last of the service was rendered, and in the line of precedents that have long been established in the general pension laws, forty years is about as soon as any such pension law has been passed after the close of the service. This is a period of forty-eight to fifty-three years from the time of the service.

I reserve the balance of my time.

Mr. MANN. I yield five minutes to the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Speaker, I have waited for nearly two months in order to secure recognition for the passage of this bill. Sometimes I have felt that I would have an attack of nervous prostration occasioned by the intense anxiety and repeated disappointments to which I have been subjected, because I could not get the bill before the House.

This bill is drawn in the usual form. It is in the exact language of H. R. No. 1, introduced by me immediately after the Federal Government reimbursed Texas for the amount expended for frontier defense, which reimbursement was necessary to give these veterans a pensionable status, and same has been unanimously reported from the Committee on Pensions by its distinguished chairman [Mr. LOUDENSLAGER]. It does for the few survivors of the Indian wars who fought on the frontiers of Texas exactly what has been done for the veterans of the Black Hawk war, the Creek war, the Cherokee disturbances, and the Seminole war; it accords to these Texans exactly the

same treatment that was accorded to the veterans in the Florida and Georgia Seminole wars, in the Fevre River Indian war in Illinois, the Sac and Fox wars in Illinois, the Sabine Indian disturbances in Louisiana, the Cayuse war in Oregon, the Texas and Mexico war of 1849-1856, and the California, Utah, Washington, and Oregon Indian wars which occurred, some of them, as late as 1856.

For fifty-three years these Texans have been without recognition, as far as the Federal Government is concerned, of the great service they rendered in that trying period in the history of our State between 1854 and 1861. I sincerely hope that the request which I intend to submit will not be objected to. Mr. Speaker, since the inauguration of the tactics adopted by the distinguished gentleman from Mississippi [Mr. WILLIAMS], which I thoroughly approve, and to which I have given my hearty support—

Mr. MANN. In every other case except this.

Mr. BURLESON. No; in every case where the gentleman has insisted upon his policy since its adoption, and I ask no exception be made here, as I shall show. Recently the gentleman from New Jersey [Mr. LOUDENSLAGER] has brought before the Congress three pension measures, and the gentleman from Kansas to-day brought in another pension matter, and upon the submission of a statement of the facts in connection with those bills to the House, and unanimous consent being asked, those pension bills, in every case, were passed by unanimous consent, or without the call of the roll.

I now ask that the same treatment be accorded these grizzled veterans who served so valiantly and honorably upon the frontier of Texas that was accorded the soldiers that were cared for and provided for in the bills submitted to this House by the gentleman from New Jersey [Mr. LOUDENSLAGER] and the bill of the gentleman from Kansas [Mr. CALDERHEAD] which was passed to-day. I now ask that this bill be permitted to pass by unanimous consent or that the call of the roll be dispensed with.

Mr. MANN. But the gentleman from Mississippi [Mr. WILLIAMS] said a while ago that he would not permit a bill to be passed by unanimous consent.

Mr. WILLIAMS. Mr. Speaker, reserving the right to object—

Mr. MANN. But the gentleman can not make that reservation.

Mr. WILLIAMS. Does the gentleman from New Jersey reserve his time? Of course if the request is not put, there is nothing before the House.

Mr. MANN. Mr. Speaker, this is Memorial Day. It may be that it is proper to pass this bill, and yet I think it is wise that the House should know something in regard to the circumstances of the case. The Texas Rangers, to which this bill applies, have been widely celebrated for their heroic deeds and somewhat celebrated for other things. It was these gentlemen whom we now propose to pension who at the outbreak of the civil war as Texas Rangers seized all of the forts and supplies and munitions of war of the United States in Texas and turned them over to the Confederacy, or to the State of Texas, rather.

Mr. CAPRON. Will the gentleman yield for a moment?

Mr. MANN. In just a moment. A year ago, I think it was, after the State of Texas had paid the Texas Rangers while they were performing this service for Texas and the Confederate government and not for the United States Government, the State of Texas presented a claim to Congress to have the State of Texas reimbursed for the amount paid out to the Texas Rangers.

Mr. BURLESON. Will the gentleman yield?

Mr. MANN. In just a moment. That claim was finally agreed upon in conference, having been inserted as an item in, I think, the general deficiency bill in the Senate. Mr. Speaker, it is a long time ago. I have often wondered as I sat in my seat in this House at the patience, at the kindness, at the courtesy of the gentlemen on the Democratic side of the aisle, as these great numbers of special pension bills were passed through this House, where the benefits chiefly went to the old soldiers in Northern States; and I think now that while I would not have voted to reimburse the State of Texas for money which she paid out, not for the benefit of the General Government, but for the benefit of the rebellion, I would not draw the line against these old soldiers who, through patriotism, as they believed, and through fealty to their State, did seize the property of the United States, but who in addition to that did offer their lives in defense of the people of the State of Texas and against the Indians. We often hear of heroic deeds. I doubt, Mr. Speaker, whether there is written anywhere in history such heroic deeds as have been performed by the white settlers of the country in combat with the Indians. I hope, like the gentleman from Texas [Mr. BURLESON], that the bill may be passed unanimously. [Applause.]

Mr. BURLESON. Will the gentleman yield for a moment?

Mr. MANN. I yield to the gentleman.

Mr. BURLESON. Mr. Speaker, in the interest of the accuracy of history, I desire to state that every dollar of the claim that was paid to Texas last year by the Federal Government, which is the basis of this bill for pensions, accrued and was presented to Congress by the Hon. John H. Reagan before the ordinance of secession was adopted by the State of Texas on February 23, 1861. It is doubtless true that an overwhelming majority of the men who served in these Indian wars afterwards enlisted in the Confederate army. It is true that probably a large number of them died during the bloody period between 1860 and 1865, but the gentleman from Illinois [Mr. MANN] is laboring under a misapprehension when he says that the men who are sought to be pensioned by this bill belonged to the ranger companies which seized the property that belonged to the United States at the outbreak of the civil war. This action was taken the year after the period of their service ended, and a few of them may have been still in the service, but not many.

The records of the Congress will disclose the facts, as I have stated them—that is, that every dollar of the claim that Texas presented against the Government of the United States for the service of these veteran soldiers accrued and had been presented to the Congress by Judge Reagan and payment urged before the ordinance of secession had been adopted by the State of Texas.

I thank the gentleman from Illinois for the generous sentiment of head and heart that moved him to acquiesce in the request made by me that this bill be passed by unanimous consent or without roll call.

Mr. WILLIAMS. Mr. Speaker, I would like somebody to yield me about three minutes.

Mr. MANN. I yield to the gentleman three minutes.

Mr. WILLIAMS. Mr. Speaker, of course there is nobody on this floor more in favor of this bill than I. I had three great uncles who fought in the Texas war of independence, for the independence of the Texas Republic. I feel tied to the people of Texas in every way, but in carrying out a policy that we on this side have thought it wise to inaugurate, and which I have veered from only in certain particular cases, classified beforehand, I can not make fish of one and flesh of another, and as this bill comes under no classification designated, I shall be compelled to call for the yeas and nays upon its passage.

Mr. BURLESON. Will the gentleman permit me to interrupt him for a moment?

Mr. WILLIAMS. Yes.

Mr. BURLESON. I direct the gentleman's attention to the fact that an omnibus pension bill including three or four hundred cases passed here the other day by unanimous consent or without roll call, and to-day the gentleman from Kansas [Mr. CALDERHEAD] presented a bill here and secured unanimous consent to place three old soldiers—

Mr. WILLIAMS. But did the omnibus pension bill pass by unanimous consent the other day?

Mr. BURLESON. It did, and—

Mr. GARNER. And without a roll call.

Mr. WILLIAMS. If it did, it was because I was negligent, Mr. Speaker, and if it did, I will let this go through without it. [Applause.]

Mr. MANN. Mr. Speaker, I think there is nothing very pressing before the House just now. In the interest of historical accuracy, in regard to the State, of the gentleman from Texas, it may be well that the House should also know that the Texas Rangers, when the war of the rebellion approached, by the action of the legislature of the State of Texas and the authorities of that State, were at once greatly enlarged in numbers in preparation for the war; that the action caused the resignation, as I remember it, of the governor of the State, and that it was the pay of those rangers which Congress made in the general deficiency bill a year ago. I do not propose to argue that question now.

Mr. BURLESON. You are mistaken about the facts.

Mr. MANN. No; the gentleman is mistaken. At that time I secured every book on the subject relating to the history of Texas, secured a number of private papers, and if I could have gotten the floor on that deficiency bill I do not believe that item would ever have been agreed to in the House—but that is dead and gone so far as I am concerned.

Mr. BURLESON. Now, will the gentleman permit me?

Mr. MANN. Certainly.

Mr. BURLESON. I was thoroughly advised that the gentleman had those documents, and I also stood ready with documents to refute every single charge contained in those books and papers.

Mr. MANN. I have not any doubt of that.

Mr. BURLESON. I assure the gentleman that I can show by the CONGRESSIONAL RECORDS here that John H. Reagan pre-

sented those claims before the articles of secession were adopted by the State of Texas; that while he was yet a Member of the United States Congress, before Texas seceded, he upon this floor made a speech urging the payment of those claims, and that before the outbreak of the war a unanimous report was made recommending the payment of a large portion of those claims. The feeling growing out of the civil war after the termination of that bloody conflict was such that it was impossible for Texas to secure consideration of these claims, and she waited forty-seven years before the United States finally did her justice, even partial justice, but I thank God that the time came when she did recognize the justness of those claims. [Applause.]

Mr. MANN. And that is right, and put a Senate item in the general deficiency bill where the item never was discussed in either House.

Mr. BURLESON. Yet it was the most virtuous item in that bill. [Applause.]

Mr. MANN. Mr. Speaker, now, I yield two minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I think it very likely that no member of the delegation from my State possibly can have more, probably not so many, constituents who will become the beneficiaries of this legislation as I. I rejoice to see that the era of good feeling with which this Congress is closing makes it extremely probable that the bill will go through without opposition. It will be a tardy act of justice to a deserving class of men who, in spite of the opinion of my distinguished friend from Illinois [Mr. MANN] to the contrary, served the State of Texas and served the Union as well for some years prior to the period of the civil war. I rejoice in the fact that the Committee on Pensions has seen fit to recognize the services of these particular soldiers, because for years they have been discriminated against in the pension legislation of the United States.

Organizations in other parts of the country doing identical service have been recognized by being placed upon the pension rolls.

Soon after I came to Congress, twelve years ago, I prepared a bill—awkward and insufficient, perhaps—but a bill intending to accomplish what this bill does on this occasion. I introduced that bill in four subsequent Congresses, and now I am delighted to know that—owing largely to the energy and to the persistence of one of my colleagues—the bill has been put through, or is practically through the Congress, and that the great service, the efficient service, the heroic work done by these old frontier soldiers is to be recognized and their declining years to be made in a degree comfortable by the largess of the Government. [Applause.] [Cries of "Vote!"]

THE SPEAKER. The gentleman from New Jersey [Mr. LOUDENSLAGER] asks unanimous consent that the bill be passed. Is there objection?

Mr. WILLIAMS. Mr. Speaker, I did not understand that. I just understood that they would take a vote on it.

THE SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken, and a majority having voted in favor thereof, the rules were suspended and the bill was passed.

ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 22212. An act granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Allemen;

H. R. 21871. An act to amend the national banking laws;

H. R. 21897. An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes; and

H. J. Res. 197. Joint resolution authorizing the employment of clerical services in the Department of Justice.

THE SPEAKER announced his signature to enrolled bills of the following titles:

S. 208. An act for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment;

S. 5983. An act authorizing certain life-saving apparatus to be placed at the Farallone Islands, off the coast of California; and

S. 6358. An act to amend an act entitled "An act to incorporate The Masonic Mutual Relief Association of the District of Columbia."

GENERAL DEFICIENCY BILL.

Mr. TAWNEY. Mr. Speaker, I call up the conference report on the bill H. R. 21946, the general deficiency bill, making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes, and I ask unanimous consent that the reading of the report be dispensed with and that the statement be read in lieu of the report.

Mr. WILLIAMS. Mr. Speaker, to that I object, of course.

The SPEAKER. Does the gentleman from Minnesota [Mr. TAWNEY] move to suspend the rules?

Mr. TAWNEY. I call up the conference report and ask that the reading of the report be dispensed with and that the statement be read in lieu of the report.

Mr. WILLIAMS. To that I object.

The SPEAKER. The gentleman objects. The Clerk will read the conference report.

The Clerk read as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 21946) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 30, 32, 33, 34, and 38.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 31, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, and 82, and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Toward amounts requisite for public buildings, authorized under the provisions of an act entitled 'An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes,' passed at the first session of the Sixtieth Congress, namely:

"Under the provisions and limitations of section 1 of said act, as follows:

"Rome, Ga., post-office and court-house, fifteen thousand dollars.

"Burlington, Iowa, post-office, five thousand dollars.

"Council Bluffs, Iowa, post-office and court-house, six thousand two hundred and fifty dollars, for the purchase of additional land.

"Duluth, Minn., post-office, etc., ninety-five thousand dollars.

"St. Joseph, Mo., post-office and court-house, twelve thousand dollars.

"Johnstown, Pa., post-office, twenty thousand dollars.

"Murfreesboro, Tenn., post-office, ten thousand dollars.

"Tyler, Tex., post-office, fifteen thousand dollars.

"Salt Lake City, Utah, post-office, etc., sixty thousand dollars.

"Fairmont, W. Va., post-office, ten thousand dollars.

"Wheeling, W. Va., post-office and court-house, twenty thousand dollars.

"Platteville, Wis., post-office, fifteen thousand dollars.

"Under the provisions and limitations of section 2 of said act, as follows:

"Montgomery, Ala., post-office and court-house, fifteen thousand dollars.

"Hot Springs, Ark., post-office, twenty thousand dollars.

"Sacramento, Cal., post-office and court-house, thirty thousand dollars.

"San Jose, Cal., post-office, two thousand dollars.

"New London, Conn., post-office, twenty thousand dollars.

"Wilmington, Del., post-office and court-house, forty thousand dollars.

"Athens, Ga., post-office and court-house, twenty thousand dollars.

"Augusta, Ga., post-office and court-house, two thousand dollars.

"Boise, Idaho, post-office and other governmental buildings, forty thousand dollars.

"Elgin, Ill., post-office, twenty thousand dollars.

"Peoria, Ill., post-office and court-house, ten thousand dollars.

"Quincy, Ill., post-office and court-house, twenty-five thousand dollars.

"Rock Island, Ill., post-office, twenty-five thousand dollars.

"Davenport, Iowa, post-office and court-house, twenty-five thousand dollars.

"Fort Dodge, Iowa, post-office, twenty-five thousand dollars.

"Emporia, Kans., post-office, fifteen thousand dollars.

"Kansas City, Kans., post-office, forty thousand dollars.

"Lexington, Ky., post-office, twenty-five thousand dollars.

"Frankfort, Ky., post-office and court-house, twenty thousand dollars.

"Paducah, Ky., post-office and court-house, fifteen thousand dollars.

"Richmond, Ky., post-office and court-house, ten thousand dollars.

"Bath, Me., post-office and custom-house, twenty thousand dollars.

"Belfast, Me., post-office and custom-house, twenty thousand dollars.

"Ellsworth, Me., post-office and custom-house, twenty thousand dollars.

"Jackson, Mich., post-office, fifteen thousand dollars.

"Meridian, Miss., post-office and court-house, twenty thousand dollars.

"Beatrice, Nebr., post-office, twenty thousand dollars.

"Fremont, Nebr., post-office, fifteen thousand dollars.

"Manchester, N. H., post-office and court-house, fifteen thousand dollars.

"Hoboken, N. J., post-office, twenty thousand dollars.

"New Brunswick, N. J., post-office, twenty thousand dollars.

"Trenton, N. J., post-office and court-house, ten thousand dollars.

"Goldsboro, N. C., post-office, ten thousand dollars.

"Newbern, N. C., post-office and court-house, fifteen thousand dollars.

"Raleigh, N. C., post-office and court-house, ten thousand dollars.

"Lima, Ohio, post-office, twenty thousand dollars.

"Chester, Pa., post-office, twenty thousand dollars.

"Reading, Pa., post-office, twenty-five thousand dollars.

"Pawtucket, R. I., post-office, twenty thousand dollars.

"Sioux Falls, S. Dak., post-office and court-house, twenty thousand dollars.

"Bristol, Tenn., post-office and court-house, twenty thousand dollars.

"Jackson, Tenn., post-office and court-house, twenty thousand dollars.

"Charlottesville, Va., post-office, thirty-five thousand dollars.

"Danville, Va., post-office and court-house, twenty thousand dollars.

"Charleston, W. Va., post-office and court-house, twenty-five thousand dollars.

"Huntington, W. Va., post-office and court-house, five thousand five hundred dollars.

"La Crosse, Wis., post-office and court-house, twenty thousand dollars.

"Under the provisions and limitations of section 3 of said act, as follows:

"Demopolis, Ala., post-office, fifteen thousand dollars.

"Troy, Ala., post-office, twenty thousand dollars.

"Santa Cruz, Cal., post-office, twenty thousand dollars.

"Griffin, Ga., post-office, twenty thousand dollars.

"Newnan, Ga., post-office, twenty thousand dollars.

"Way Cross, Ga., post-office, fifteen thousand dollars.

"Lewiston, Idaho, post-office and land office, twenty thousand dollars.

"Centralia, Ill., post-office, twenty thousand dollars.

"Litchfield, Ill., post-office, twenty thousand dollars.

"Columbus, Ind., post-office, twenty thousand dollars.

"Connersville, Ind., post-office, twenty thousand dollars.

"Greencastle, Ind., post-office, twenty thousand dollars.

"Jeffersonville, Ind., post-office, fifteen thousand dollars.

"Kokomo, Ind., post-office, twenty thousand dollars.

"Peru, Ind., post-office, etc., twenty thousand dollars.

"Decorah, Iowa, post-office, fifteen thousand dollars.

"Estherville, Iowa, post-office, fifteen thousand dollars.

"Shenandoah, Iowa, post-office, fifteen thousand dollars.

"Catlettsburg, Ky., post-office and court-house, twenty thousand dollars.

"Beverly, Mass., post-office, fifteen thousand dollars.

"Marlboro, Mass., post-office, twenty thousand dollars.

"Plymouth, Mass., post-office, twenty-five thousand dollars.

"Webster, Mass., post-office, fifteen thousand dollars.

"Woburn, Mass., post-office, fifteen thousand dollars.

"Pontiac, Mich., post-office, twenty thousand dollars.

- "Austin, Minn., post-office, fifteen thousand dollars.
 "Brainerd, Minn., post-office, ten thousand dollars.
 "Rochester, Minn., post-office, fifteen thousand dollars.
 "Hattiesburg, Miss., post-office, twenty thousand dollars.
 "West Point, Miss., post-office, no site.
 "Carrollton, Mo., post-office, fifteen thousand dollars.
 "Clinton, Mo., post-office, twenty thousand dollars.
 "Independence, Mo., post-office, fifteen thousand dollars.
 "Lexington, Mo., post-office, fifteen thousand dollars.
 "Macon, Mo., post-office, fifteen thousand dollars.
 "Warrensburg, Mo., post-office, twenty thousand dollars.
 "Missoula, Mont., postoffice, etc., twenty-five thousand dollars.
 "Columbus, Nebr., post-office, twenty thousand dollars.
 "Plattsmouth, Nebr., post-office, fifteen thousand dollars.
 "Keene, N. H., post-office, twenty thousand dollars.
 "Amsterdam, N. Y., post-office, twenty thousand dollars.
 "Malone, N. Y., post-office, fifteen thousand dollars.
 "Middletown, N. Y., post-office, twenty thousand dollars.
 "Concord, N. C., post-office, twenty thousand dollars.
 "Henderson, N. C., post-office, twenty thousand dollars.
 "High Point, N. C., post-office, twenty thousand dollars.
 "Ashtabula, Ohio, post-office, twenty thousand dollars.
 "Delaware, Ohio, post-office, twenty thousand dollars.
 "Enid, Okla., post-office and court-house, twenty thousand dollars.
 "Bradford, Pa., post-office, fifteen thousand dollars.
 "Carbondale, Pa., post-office, twenty thousand dollars.
 "Chambersburg, Pa., post-office, twenty thousand dollars.
 "Easton, Pa., post-office, twenty thousand dollars.
 "Greensburg, Pa., post-office, twenty thousand dollars.
 "Sewickley, Pa., post-office, twenty thousand dollars.
 "Shamokin, Pa., post-office, twenty thousand dollars.
 "York, Pa., post-office and internal-revenue office, fifty thousand dollars.
 "Aiken, S. C., post-office, fifteen thousand dollars.
 "Cleveland, Tenn., post-office, fifteen thousand dollars.
 "Palestine, Tex., post-office, twenty thousand dollars.
 "San Marcos, Tex., post-office, ten thousand dollars.
 "Temple, Tex., post-office, twenty thousand dollars.
 "Bellingham, Wash., post-office and court-house, twenty-five thousand dollars.
 "North Yakima, Wash., post-office and court-house, twenty-five thousand dollars.
 "Hinton, W. Va., post-office, fifteen thousand dollars.
 "Appleton, Wis., post-office, fifteen thousand dollars.
 "Beloit, Wis., post-office, twenty thousand dollars.
 "Watertown, Wis., post-office, twenty thousand dollars.
 "Lander, Wyo., post-office and court-house, twenty thousand dollars.
 "Under the provisions and limitations of section 4 of said act, as follows:
 "Ensley, Ala., post-office, twenty-five thousand dollars.
 "Eufaula, Ala., post-office, fifteen thousand dollars.
 "Talladega, Ala., post-office, twenty thousand dollars.
 "Phoenix, Ariz., post-office and court-house, thirty thousand dollars.
 "Hope, Ark., post-office, twelve thousand five hundred dollars.
 "Jonesboro, Ark., post-office, twenty-five thousand dollars.
 "Paragould, Ark., post-office, fifteen thousand dollars.
 "Alameda, Cal., post-office, thirty thousand dollars.
 "Santa Barbara, Cal., post-office, twenty thousand dollars.
 "Riverside, Cal., post-office, thirty thousand dollars.
 "Fort Collins, Colo., post-office, twenty-five thousand dollars.
 "Ansonia, Conn., post-office, thirty-five thousand dollars.
 "Bristol, Conn., post-office, thirty thousand dollars.
 "Danbury, Conn., post-office, twenty thousand dollars.
 "Wallingford, Conn., post-office, fifteen thousand dollars.
 "Miami, Fla., post-office, custom-house, etc., twenty thousand dollars.
 "Cordele, Ga., post-office, fifteen thousand dollars.
 "Dublin, Ga., post-office, fifteen thousand dollars.
 "Lagrange, Ga., post-office, twenty thousand dollars.
 "Milledgeville, Ga., post-office, twenty thousand dollars.
 "Chicago Heights, Ill., post-office, thirty thousand dollars.
 "Granite City, Ill., post-office, twenty-five thousand dollars.
 "Greenville, Ill., post-office, twenty-five thousand dollars.
 "La Salle, Ill., post-office, twenty thousand dollars.
 "Mattoon, Ill., post-office, thirty thousand dollars.
 "Murphysboro, Ill., post-office, twenty thousand dollars.
 "Pana, Ill., post-office, sixteen thousand dollars.
 "Pontiac, Ill., post-office, twenty thousand dollars.
 "Bloomington, Ind., post-office, twenty thousand dollars.
 "Elwood, Ind., post-office, twenty thousand dollars.
 "Brazil, Ind., post-office, twenty thousand dollars.
 "Goshen, Ind., post-office, fifteen thousand dollars.
 "Laporte, Ind., post-office, fifteen thousand dollars.
 "Princeton, Ind., post-office, twenty thousand dollars.
 "Wabash, Ind., post-office, twenty thousand dollars.
 "Ames, Iowa, post-office, twenty-five thousand dollars.
 "Clay Center, Kans., post-office, ten thousand dollars.
 "Coffeyville, Kans., post-office, twenty-five thousand dollars.
 "Great Bend, Kans., post-office, fifteen thousand dollars.
 "Independence, Kans., post-office, etc., fifteen thousand dollars.
 "Parsons, Kans., post-office, etc., twenty-five thousand dollars.
 "Wellington, Kans., post-office, fifteen thousand dollars.
 "Mount Sterling, Ky., post-office, eleven thousand dollars.
 "Somerset, Ky., post-office, fifteen thousand dollars.
 "Crowley, La., post-office, fifteen thousand dollars.
 "Franklin, La., post-office, fifteen thousand dollars.
 "Waterville, Me., post-office, twenty-five thousand dollars.
 "Frostburg, Md., post-office, fifteen thousand dollars.
 "Athol, Mass., post-office, twenty thousand dollars.
 "Chelsea, Mass., post-office, thirty thousand dollars.
 "Milford, Mass., post-office, twenty-five thousand dollars.
 "Westfield, Mass., post-office, ten thousand dollars.
 "Hillsdale, Mich., post-office, fifteen thousand dollars.
 "Ionia, Mich., post-office, twenty-five thousand dollars.
 "Monroe, Mich., post-office, fifteen thousand dollars.
 "Mount Clemens, Mich., post-office, fifteen thousand dollars.
 "Faribault, Minn., post-office, twenty thousand dollars.
 "Virginia, Minn., post-office, twenty thousand dollars.
 "Wilmar, Minn., post-office, seventeen thousand dollars.
 "Brookhaven, Miss., post-office, twenty thousand dollars.
 "Corinth, Miss., post-office, fifteen thousand dollars.
 "Greenwood, Miss., post-office, fifteen thousand dollars.
 "Maryville, Mo., post-office, etc., fifteen thousand dollars.
 "Mexico, Mo., post-office, twenty thousand dollars.
 "Billings, Mont., post-office and land office, thirty thousand dollars.
 "Fairbury, Nebr., post-office, fifteen thousand dollars.
 "Holdrege, Nebr., post-office, twenty thousand dollars.
 "Goldfield, Nev., post-office, etc., fifteen thousand dollars.
 "North Platte, Nebr., post-office and court-house, fifteen thousand dollars.
 "Asbury Park, N. J., post-office, thirty thousand dollars.
 "Burlington, N. J., post-office, twenty-five thousand dollars.
 "Plainfield, N. J., post-office, etc., twenty-five thousand dollars.
 "Roswell, N. Mex., post-office and court-house, twenty thousand dollars.
 "Newark, N. Y., post-office, eighteen thousand dollars.
 "Penn Yan, N. Y., post-office, twenty thousand dollars.
 "Gastonia, N. C., post-office, fifteen thousand dollars.
 "Lexington, N. C., post-office, fifteen thousand dollars.
 "Wilson, N. C., post-office, etc., twenty thousand dollars.
 "Bismarck, N. Dak., post-office and court-house, forty-five thousand dollars.
 "Minot, N. Dak., post-office and court-house, twenty-five thousand dollars.
 "Alliance, Ohio, post-office, thirty thousand dollars.
 "Ironton, Ohio, post-office, twenty thousand dollars.
 "Mansfield, Ohio, post-office, twenty thousand dollars.
 "Massillon, Ohio, post-office, twenty thousand dollars.
 "Muskogee, Okla., post-office, etc., fifty thousand dollars.
 "Albany, Oreg., post-office, fifteen thousand dollars.
 "La Grande, Oreg., post-office, twenty thousand dollars.
 "Pendleton, Oreg., post-office, twenty-two thousand dollars.
 "Braddock, Pa., post-office, thirty-five thousand dollars.
 "Bristol, Pa., post-office, fifteen thousand dollars.
 "Connellsville, Pa., post-office, thirty-three thousand dollars.
 "Homestead, Pa., post-office, thirty-five thousand dollars.
 "Steelton, Pa., post-office, forty thousand dollars.
 "Westerly, R. I., post-office, twenty-five thousand dollars.
 "Abbeville, S. C., post-office, twenty thousand dollars.
 "Darlington, S. C., post-office, fifteen thousand dollars.
 "Gaffney, S. C., post-office, ten thousand dollars.
 "Laurens, S. C., post-office, fifteen thousand dollars.
 "Newberry, S. C., post-office, fifteen thousand dollars.
 "Orangeburg, S. C., post-office, fifteen thousand dollars.
 "Union, S. C., post-office, twenty thousand dollars.
 "Huron, S. Dak., post-office, twenty-five thousand dollars.
 "Dyersburg, Tenn., post-office, fifteen thousand dollars.
 "Harriman, Tenn., post-office, thirteen thousand dollars.
 "Union City, Tenn., post-office, thirteen thousand dollars.
 "Bonham, Tex., post-office, fifteen thousand dollars.
 "Cleburne, Tex., post-office, twenty thousand dollars.
 "Corpus Christi, Tex., post-office and custom-house, twenty thousand dollars.
 "Del Rio, Tex., post-office and court-house, seventeen thousand dollars.

- "Hillsboro, Tex., post-office, twenty-five thousand dollars.
 "McKinney, Tex., post-office, twenty thousand dollars.
 "Mineral Wells, Tex., post-office, fifteen thousand dollars.
 "Port Arthur, Tex., post-office and custom-house, thirteen thousand dollars.
 "Sulphur Springs, Tex., post-office, thirteen thousand dollars.
 "Terrell, Tex., post-office, fifteen thousand dollars.
 "Victoria, Tex., post-office and court-house, fifteen thousand dollars.
 "Waxahachie, Tex., post-office, twenty thousand dollars.
 "Wichita Falls, Tex., post-office, twenty thousand dollars.
 "Park City, Utah, post-office, eleven thousand dollars.
 "Brattleboro, Vt., post-office and court-house, twenty-five thousand dollars.
 "Richford, Vt., post-office and custom-house, fifteen thousand dollars.
 "Big Stone Gap, Va., post-office and court-house, fifteen thousand dollars.
 "Lexington, Va., post-office, ten thousand dollars.
 "Suffolk, Va., post-office, twenty-five thousand dollars.
 "Everett, Wash., post-office, etc., thirty-five thousand dollars.
 "Walla Walla, Wash., post-office and court-house, thirty-five thousand dollars.
 "Morgantown, W. Va., post-office, twenty-five thousand dollars."
 "Point Pleasant, W. Va., post-office, twenty thousand dollars.
 "Stevens Point, Wis., post-office, twenty thousand dollars.
 "Rock Springs, Wyo., post-office, etc., fifteen thousand dollars.
 "Under the provisions and limitations of section 5 of said act, as follows:
 "Cullman, Ala., post-office, five thousand dollars.
 "Mobile, Ala., post-office, one hundred and twenty-five thousand dollars.
 "Opelika, Ala., post-office, seven thousand five hundred dollars.
 "Eureka Springs, Ark., post-office, seven thousand five hundred dollars.
 "Searcy, Ark., post-office, six thousand dollars.
 "Grass Valley, Cal., post-office, ten thousand dollars.
 "Pasadena, Cal., post-office, fifty thousand dollars.
 "Grand Junction, Colo., post-office, ten thousand dollars.
 "Greeley, Colo., post-office, fifteen thousand dollars.
 "Naugatuck, Conn., post-office, fifteen thousand dollars.
 "Washington, D. C., post-office, five hundred thousand dollars.
 "Live Oak, Fla., post-office, seven thousand five hundred dollars.
 "Lewes, Del., post-office, five thousand dollars.
 "St. Petersburg, Fla., post-office, seven thousand five hundred dollars.
 "Augusta, Ga., post-office and other governmental offices, thirty-five thousand dollars.
 "Bainbridge, Ga., post-office, seven thousand five hundred dollars.
 "Carrollton, Ga., post-office, seven thousand five hundred dollars.
 "Cartersville, Ga., post-office, seven thousand five hundred dollars.
 "Cedartown, Ga., post-office, seven thousand five hundred dollars.
 "Elberton, Ga., post-office, seven thousand five hundred dollars.
 "Savannah, Ga., Marine Hospital, thirteen thousand five hundred dollars.
 "Tifton, Ga., post-office, seven thousand five hundred dollars.
 "Pocatello, Idaho, post-office and court-house, ten thousand dollars.
 "Chicago, Ill., post-office, one million two hundred and fifty thousand dollars.
 "Duquoin, Ill., post-office, five thousand dollars.
 "Harrisburg, Ill., post-office, seven thousand five hundred dollars.
 "Rochelle, Ill., post-office, seven thousand five hundred dollars.
 "South Chicago, Ill., post-office, twenty-five thousand dollars.
 "Sterling, Ill., post-office, five thousand dollars.
 "Frankfort, Ind., post-office, fifteen thousand dollars.
 "Denison, Iowa, post-office, ten thousand dollars.
 "Fort Madison, Iowa, post-office, ten thousand dollars.
 "Iowa Falls, Iowa, post-office, seven thousand five hundred dollars.
 "Le Mars, Iowa, post-office, ten thousand dollars.
 "Red Oak, Iowa, post-office, ten thousand dollars.
 "Ablene, Kans., post-office, seven thousand five hundred dollars.
 "Beloit, Kans., post-office, seven thousand five hundred dollars.
 "Concordia, Kans., post-office, seven thousand five hundred dollars.
 "Ottawa, Kans., post-office, seven thousand five hundred dollars.
 "Ashland, Ky., post-office, twelve thousand dollars.
 "Bardstown, Ky., post-office, ten thousand dollars.
 "Cynthiana, Ky., post-office, ten thousand dollars.
 "Hopkinsville, Ky., post-office, twelve thousand dollars.
 "Lawrenceburg, Ky., post-office, seven thousand five hundred dollars.
 "Lafayette, La., post-office, five thousand dollars.
 "Biddeford, Me., post-office, twenty thousand dollars.
 "Camden, Me., post-office, ten thousand dollars.
 "Gardiner, Me., post-office, fifteen thousand dollars.
 "Oldtown, Me., post-office, ten thousand dollars.
 "Attleboro, Mass., post-office, twenty thousand dollars.
 "Boston, Mass., custom-house, five hundred thousand dollars.
 "New Bedford, Mass., post-office, one hundred and twenty-five thousand dollars.
 "Battle Creek, Mich., post-office, nineteen thousand five hundred dollars.
 "Petoskey, Mich., post-office, ten thousand dollars.
 "Moorhead, Minn., post-office, five thousand dollars.
 "Laurel, Miss., post-office, twelve thousand five hundred dollars.
 "Vicksburg, Miss., post-office and court-house, fifteen thousand dollars.
 "Aurora, Mo., post-office, ten thousand dollars.
 "Boonville, Mo., post-office, ten thousand dollars.
 "Brookfield, Mo., post-office, ten thousand dollars.
 "Chillicothe, Mo., post-office, ten thousand dollars.
 "Marshall, Mo., post-office, ten thousand dollars.
 "Poplar Bluff, Mo., post-office, ten thousand dollars.
 "Rolla, Mo., post-office, five thousand dollars.
 "Trenton, Mo., post-office, ten thousand dollars.
 "Livingstone, Mont., post-office, fifteen thousand dollars.
 "McCook, Nebr., post-office and court-house, eight thousand dollars.
 "Rochester, N. H., post-office, fifteen thousand dollars.
 "Morristown, N. J., post-office, thirty-five thousand dollars.
 "Orange, N. J., post-office, thirty thousand dollars.
 "Batavia, N. Y., post-office, fifteen thousand dollars.
 "Borough of Bronx, New York City, N. Y., post-office, one hundred thousand dollars.
 "Cortland, N. Y., post-office, twenty thousand dollars.
 "Fulton, N. Y., post-office, ten thousand dollars.
 "Hornell, N. Y., post-office, twenty thousand dollars.
 "Mount Vernon, N. Y., post-office, thirty-five thousand dollars.
 "Oneonta, N. Y., post-office, twenty thousand dollars.
 "Salamanca, N. Y., post-office, ten thousand dollars.
 "Syracuse, N. Y., post-office only, seventy-five thousand dollars.
 "Waterloo, N. Y., post-office, ten thousand dollars.
 "Greenville, N. C., post-office, ten thousand dollars.
 "Hickory, N. C., post-office, ten thousand dollars.
 "Monroe, N. C., post-office, ten thousand dollars.
 "Oxford, N. C., post-office, seven thousand five hundred dollars.
 "Chickasha, Okla., post-office and court-house, fifteen thousand dollars.
 "Guthrie, Okla., post-office and court-house, thirty-five thousand dollars.
 "McAlester, Okla., post-office and court-house, fifteen thousand dollars.
 "Tulsa, Okla., post-office and court-house, twenty thousand dollars.
 "Bellaire, Ohio, post-office, twenty thousand dollars.
 "Bellefontaine, Ohio, post-office, ten thousand dollars.
 "Bowling Green, Ohio, post-office, ten thousand dollars.
 "Cambridge, Ohio, post-office, ten thousand dollars.
 "Defiance, Ohio, post-office, ten thousand dollars.
 "Middletown, Ohio, post-office, ten thousand dollars.
 "Steuenville, Ohio, post-office, twenty thousand dollars.
 "Tiffin, Ohio, post-office, twelve thousand five hundred dollars.
 "Van Wert, Ohio, post-office, ten thousand dollars.
 "Wooster, Ohio, post-office, ten thousand dollars.
 "Xenia, Ohio, post-office, ten thousand dollars.
 "Corry, Pa., post-office, eighteen thousand dollars.
 "Gettysburg, Pa., post-office, twenty-five thousand dollars.
 "Kittanning, Pa., post-office, fifteen thousand dollars.
 "Ridgway, Pa., post-office, ten thousand dollars.
 "Sunbury, Pa., post-office, twenty-five thousand dollars.
 "Titusville, Pa., post-office, twenty thousand dollars.
 "Rapid City, S. Dak., post-office, seven thousand five hundred dollars.
 "Brookings, S. Dak., post-office, seven thousand five hundred dollars.

"Lebanon, Tenn., post-office, five thousand dollars.
 "Morristown, Tenn., post-office, five thousand dollars.
 "Pulaski, Tenn., post-office, seven thousand five hundred dollars.
 "Shelbyville, Tenn., post-office, five thousand dollars.
 "Springfield, Tenn., post-office, five thousand dollars.
 "Austin, Tex., post-office, forty thousand dollars.
 "Brenham, Tex., post-office, ten thousand dollars.
 "Brownwood, Tex., post-office, seven thousand five hundred dollars.
 "Clarksville, Tex., post-office, five thousand dollars.
 "Cuero, Tex., post-office, seven thousand five hundred dollars.
 "Bennington, Vt., post-office, ten thousand dollars.
 "Marlin, Tex., post-office, seven thousand five hundred dollars.
 "Marshall, Tex., post-office, ten thousand dollars.
 "New Braunfels, Tex., post-office, seven thousand five hundred dollars.
 "Nacogdoches, Tex., post-office, five thousand dollars.
 "Navasota, Tex., post-office, five thousand dollars.
 "Weatherford, Tex., post-office, seven thousand five hundred dollars.
 "Bennington, Vt., post-office, ten thousand dollars.
 "Covington, Va., post-office, seven thousand five hundred dollars.
 "Wytheville, Va., post-office, five thousand dollars.
 "Bedford City, Va., post-office, seven thousand five hundred dollars.
 "Olympia, Wash., post-office, twenty thousand dollars.
 "Elkins, W. Va., post-office, ten thousand dollars.
 "Grafton, W. Va., post-office, fifteen thousand dollars.
 "Parkersburg, W. Va., post-office and court-house, thirty-five thousand dollars.
 "Sistersville, W. Va., post-office, ten thousand dollars.
 "Menomonie, Wis., post-office, ten thousand dollars.
 "Merrill, Wis., post-office, seven thousand five hundred dollars.
 "Milwaukee, Wis., appraisers stores, fifty thousand dollars.
 "Waukesha, Wis., post-office, fifteen thousand dollars.
 "Casper, Wyo., post-office, ten thousand dollars.
 "Douglas, Wyo., post-office, ten thousand dollars.
 "Under the provisions and limitations of section 6 of said act, as follows:
 "General expenses of public buildings: To enable the Secretary of the Treasury to execute and give effect to the provisions of section 6 of said act, and under the limitations and provisions thereof, twenty-five thousand dollars, to be immediately available and continue available for expenditure during the fiscal year nineteen hundred and nine; but this act shall not be construed to repeal the allowances made for personal services in the annual appropriations under the control of the Supervising Architect carried in the sundry civil act for the fiscal year end-June thirtieth, nineteen hundred and nine.
 "Office of Supervising Architect: The services of skilled draftsmen, civil engineers, computers, and such other services as the Secretary of the Treasury may deem necessary and specially order, may be employed during the fiscal year nineteen hundred and nine, in addition to those now authorized, only in the Office of the Supervising Architect exclusively to carry into effect the various appropriations for the construction of public buildings, to be paid for from and equitably charged against such appropriations made in whole or in part prior to July one, nineteen hundred and seven: *Provided*, That the additional expenditure on this account for the fiscal year ending June thirtieth, nineteen hundred and nine, shall not exceed one hundred thousand dollars, and that the Secretary of the Treasury shall each year, in the annual estimates, report to Congress the number of persons so employed, their duties, and the amount paid to each: *And provided further*, That the authorization of three hundred thousand dollars for like services as above, contained in the legislative, executive, and judicial appropriation act for the fiscal year ending June thirtieth, nineteen hundred and nine, shall be similarly charged against public building appropriations made in whole or in part prior to July one, nineteen hundred and seven.
 "Under the provisions and limitations of section 7 of said act, as follows:
 "Danville, Ill., post-office, court-house, etc., fifty thousand dollars.
 "Under the provisions and limitations of section 8 of said act, as follows:
 "Ottumwa, Iowa, post-office, court-house, etc., thirty thousand dollars.
 "Under the provisions and limitations of section 10 of said act, as follows:
 "Peekskill, N. Y., post-office, etc., forty-five thousand dollars.

"Under the provisions and limitations of section 18 of said act, as follows:

"Honolulu, Hawaii, custom-house, court-house, etc., thirty thousand dollars.

"Under the provisions and limitations of section 19 of said act, as follows:

"Oklahoma City, Okla., post-office, court-house, etc., twenty thousand dollars.

"Under the provisions and limitations of section 20 of said act, as follows:

"Shreveport, La., court-house, etc., twenty-five thousand dollars.

"Under the provisions and limitations of section 21 of said act, as follows:

"Minneapolis, Minn., post-office, twenty thousand dollars.

"Under the provisions and limitations of section 22 of said act, as follows:

"Dayton, Ohio, post-office, court-house, etc., twenty thousand dollars.

"Under the provisions and limitations of section 24 of said act, as follows:

"Wilmington, N. C., custom-house, etc., eighty thousand dollars.

"Under the provisions and limitations of section 29 of said act, as follows:

"Washington, D. C., court-house, fifty thousand dollars.

"Under the provisions and limitations of section 30 of said act, as follows:

"Washington, D. C., site for buildings for Departments of State, Justice, and Commerce and Labor, two million five hundred thousand dollars, or so much thereof as may be necessary.

"Under the provisions and limitations of section 31 of said act, as follows:

"Denver, Colo., post-office, court-house, etc., fifty thousand dollars.

"Under the provisions and limitations of section 32 of said act, as follows:

"Point Pleasant, W. Va., monument, ten thousand dollars."

And the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For payment of twenty-four approved claims, exclusive of claim numbered two hundred and thirty-one thousand eight hundred and sixty-one, provided for in the preceding paragraph, for damages to and loss of private property belonging to citizens of the United States and the Philippine Islands, estimated for on page four hundred and six, House Document numbered twelve, Sixtieth Congress, first session, four thousand five hundred and fifty-two dollars and thirty-five cents."

And the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Claims for property taken from Confederate officers and soldiers after surrender: The time for filing claims under the provisions of the act of February twenty-seventh, nineteen hundred and two, and amendments thereto, for horses, saddles, and bridles taken from Confederate soldiers in violation of terms of surrender, and for the payment thereof, is extended for twelve months from the passage of this act; and all claims not presented within this time shall be forever barred."

And the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: After the last line of said amendment insert the following as a separate paragraph:

"In computing the pay of retired officers of the Navy, the ten per cent additional pay allowed for sea duty or for shore duty beyond the continental limits of the United States shall not be included, and the pay of commodore shall be the same in all respects as that of rear-admiral, second nine."

And the Senate agree to the same.

JAMES A. TAWNEY,
 EDWARD B. VREELAND,
 S. BRUNDIDGE, JR.

Managers on the part of the House.

EUGENE HALE,
 W. B. ALLISON,
 H. M. TELLER,

Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses to the bill (H. R. 21946) making appropriations for deficiencies, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, namely:

Aside from amendments made by the Senate supplying deficiencies in appropriations ascertained since the bill passed the House and the paying of judgments and amounts ascertained by the accounting officers and certified since the bill reached the Senate, the agreements recommended by the conference committee are as follows:

The appropriations of \$13,000 for rent of space in the Union Building for the Auditor for the Interior Department and of \$10,500 for expenses incident to the removal of that office, proposed by the Senate, are agreed to.

In lieu of the indefinite appropriation proposed by the Senate for public buildings and sites for public buildings authorized in the public-buildings act passed at this session there is inserted in the bill specific appropriations for each building or site, as recommended by the Treasury Department, and aggregating \$12,466,750.

For the removal of the Greenough Washington statue to the Smithsonian Institution, the sum of \$5,000 is appropriated, as proposed by the Senate.

An appropriation of \$4,552.35 for claims for damage to and loss of private property belonging to citizens of the United States and the Philippine Islands, proposed by the Senate, is made in the bill.

The provision proposed by the Senate extending for twelve months the time within which claims for property taken from Confederate officers and soldiers after surrender may be submitted is inserted in the bill, as proposed by the Senate.

The appropriation of \$21,395.95 for payment to the State of Texas is inserted in the bill, as proposed by the Senate.

The provision with reference to proceeding with the construction of general depot for the United States Army supplies at Fort Mason, Cal., is inserted in the bill, as proposed by the Senate.

In connection with the appropriation to supply a deficiency on account of pay of the Navy, a provision is inserted providing that in computing the pay of the retired officers of the Navy the 10 per cent pay allowance for sea duty or for shore duty beyond the United States shall not be included.

The appropriation of \$10,000 in the bill as it passed the House for expert agents, to be appointed by the Secretary of the Interior, is stricken out, as proposed by the Senate.

The appropriation of \$5,000 proposed by the Senate for establishing international methods of testing petroleum is stricken out.

An appropriation of \$26,950 to close the account of the Doremus Machine Company is inserted in the bill, as proposed by the Senate.

Section 2 of the bill as it passed the House, relating to the payment of salaries of officers and employees of the Government, is stricken out, as proposed by the Senate.

Section 3 of the bill, relating to the purchase of supplies for the Executive Departments, is stricken out, as proposed by the Senate.

J. A. TAWNEY,
EDWARD B. VREELAND,
S. BRUNDIDGE, Jr.,

Managers on the part of the House.

Mr. TAWNEY. Mr. Speaker, I move that the report be agreed to.

The SPEAKER. The gentleman from Minnesota [Mr. TAWNEY] moves that the report be agreed to.

Mr. TAWNEY. Mr. Speaker, I will say for the information of the Members of the House that there is but one Senate amendment that is of any material consequence, which the House has agreed to with an amendment. That amendment is the one which provides for the appropriation of money to carry out the authorizations in the public-buildings bill. During the consideration, or after the passage, of the public-buildings bill in the House the Supervising Architect was in constant touch with the committee, and by the time the bill had passed both Houses and had been agreed to by the conferees between the two Houses the Supervising Architect of the Treasury Department was prepared to submit, and did submit, the estimates necessary to carry out the authorizations in the public-buildings bill. These authorizations are for the purchase of new sites, of extension of old sites, authorizations for the construction of new buildings, and the extension of buildings heretofore au-

thorized. The estimates for the purchase of sites is for the full amount authorized in this bill.

Mr. MANN. That is the public buildings bill?

Mr. TAWNEY. The public buildings bill. That is, the amount is between \$6,000,000 and \$7,000,000 which this Senate amendment carries, and which the conferees on the part of the House have agreed to, appropriating the full authorization for the purchase of new sites, for the purchase of additional land, and for the extension of sites heretofore authorized and heretofore purchased. The appropriations carried toward the construction of the buildings that have been authorized in the public buildings bill are in amount equal to the amount which the Department estimates it can expend in the making of the contracts and in the construction of the buildings during the next fiscal year. So that every item that is carried in the public buildings bill will be provided for, whether it is the purchase of a site, the extension of an old site, or the construction of a new building. Every item in the public buildings bill is provided for in this amendment by an appropriation either for the entire authorization, as it is in the case of sites, or an appropriation of the amount which the Department estimates it can expend during the next fiscal year.

Mr. MANN. Will the gentleman yield to a question?

Mr. TAWNEY. Yes, sir.

Mr. MANN. Will the gentleman say what the amendment was in reference to the tuberculosis congress?

Mr. TAWNEY. In reference to the tuberculosis congress the amendment was to omit the authorization for the use of the municipal building and agree to the Senate amendment appropriating \$40,000 to defray the expenses incident to the preparation for housing the International Tuberculosis Congress. The President of the United States, under the amendment, is authorized to make suitable provision. It was the thought of the conferees that, with the amount appropriated, if the International Tuberculosis Congress required more room than is provided in the National Museum and in the unoccupied rooms of the Agricultural Department, there would be an ample amount appropriated for the purpose of securing that additional space.

Mr. MANN. The District Commissioners objected very vigorously to the use of the municipal building, as I understand.

Mr. TAWNEY. They did.

Mr. MANN. To my mind, very selfishly. Is there any authority, in case the rooms should not be used in the municipal or other public building, for the President or anybody else to authorize different sections of the tuberculosis congress to hold their section meetings in those rooms?

Mr. TAWNEY. I think there is no doubt that under the provision which has been agreed to there will be ample authority contained and given to the President for the purpose of setting aside any public buildings of the District of Columbia or United States buildings in the District of Columbia for the use of this congress, or any section thereof.

Mr. SCOTT. Will the gentleman permit me to ask him a question?

Mr. TAWNEY. Certainly.

Mr. SCOTT. The gentleman made a statement that the unoccupied rooms in the Agricultural Department building might be used for the purposes of the tuberculosis congress. As a matter of fact, there are no unoccupied rooms in the Agricultural building, and I would like to ask the gentleman whether the bill is worded in such a way as to make it possible that some of those rooms which are now occupied may have to be vacated.

Mr. TAWNEY. The President will have no power to require the vacation of any rooms, unless he gets it under his general power of Chief Executive. The provision only includes unoccupied rooms. Of course if they are occupied, that would preclude their occupancy by any department of the tuberculosis congress.

Mr. MANN. Of course the right to set apart any unoccupied space, as the gentleman understands, would not permit anyone to set aside any portion of the House Office Building or the Capitol Building, both of which are exclusively under the control of Congress.

Mr. TAWNEY. None whatever. It would be only those buildings under the control of the Executive. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. Does this bill carry any appropriation to carry out the employers' liability bill?

Mr. TAWNEY. None whatever.

Mr. WILLIAMS. Does any bill carry any?

Mr. TAWNEY. None that I know of. You mean the Government employees' liability act?

Mr. MANN. It has not, as I understand it, passed the Senate.

Mr. WILLIAMS. I do not mean the Government employees' liability act, but the general employees' liability act.

Mr. TAWNEY. The appropriation made for the Interstate Commerce Commission will be ample to afford the Commission all the money necessary for the purpose of administering that act.

Mr. WILLIAMS. I asked the gentleman that question for the reason that I have received communications to-day telling me that there was no provision made. I thought it was an error, and I also thought that the general appropriation for the Interstate Commerce Commission would be available.

Mr. TAWNEY. They are available.

Mr. WILLIAMS. The purpose of my question was that that idea in the mind of the public might be disabused.

Mr. TAWNEY. The general appropriation is available for that purpose and amply sufficient to accomplish the object by the Interstate Commerce Commission.

Mr. MANN. I am told that the other employers' liability bill has just passed the Senate.

Mr. DAVIS of Minnesota. Will the gentleman allow me to ask him a question?

Mr. TAWNEY. Certainly.

Mr. DAVIS of Minnesota. In the case of provision for a public building where there is a certain sum for the building, what is the amount appropriated for the site under this bill?

Mr. TAWNEY. The full amount of the authorization.

Mr. DAVIS of Minnesota. For both building and site?

Mr. TAWNEY. No; not for both building and site. Where the building and the site have been authorized, the full amount necessary for the purchase of the site has been appropriated, and so much as, in the judgment of the Department, can be expended in the preparation of the plans and the beginning of the work after the site has been procured is carried and authorized in this appropriation.

Mr. DAVIS of Minnesota. Is there any special percentage of the appropriation?

Mr. TAWNEY. None whatever. We have taken the estimates in each case.

Mr. FINLEY. Will this appropriation be available on and after the 1st of July next?

Mr. TAWNEY. It will.

Mr. FINLEY. Not before that time?

Mr. TAWNEY. Not before that time. It is not a deficiency appropriation, and for that reason the conferees did not feel justified in making this immediately available. It will become available on the 1st of July.

Now, Mr. Speaker, if there are no further questions, I desire, if I may have the attention of the House for a few moments, to submit a summary of the work of this session in respect to the appropriations.

Mr. Speaker, the annual expenditures of our Government exceed those of any other government in the world. The work of analyzing the estimates for them, of inquiring into their necessity, together with the needful inquiry into the methods of the Departments in administering and in expending previous appropriations, is rapidly becoming the most important duty and the most prodigious task to be performed in connection with the legislative department of the Government, a task whose magnitude is not appreciated, nor is the labor necessary in its performance understood. It requires constant application from the beginning until the close of the session and the most careful discrimination to prevent needless appropriations for the Federal Government or unauthorized appropriations for the exercise of governmental functions belonging to the States or for the doing of that which belongs exclusively to private interests.

So far as this work has devolved at this session upon the committees of this House having appropriating jurisdiction, I know it has been performed conscientiously and faithfully. Speaking for the Committee on Appropriations, I can say that it has been performed with no other thought or purpose than to supply the actual needs of the public service within the prescribed functions of the Federal Government, without reference to the personal desires of those from whom the increased estimated expenditures or the recommendations for increased appropriations emanated. I would not be worthy of the position I occupy on the Committee on Appropriations if I did not acknowledge the gratitude I owe to its members for their loyal support and the efficient and intelligent service they have rendered in the committee's endeavor to prevent needless or extravagant appropriations or the authorization of new services outside of the legitimate functions of the Federal Government.

Mr. Speaker, with the passage of this bill all the great supply bills of the Government for the fiscal year 1909 will have been passed, and the session will practically end. It is a custom as well as a duty we owe to the people to state, at the close of each session, the amounts appropriated and the estimated revenues for the fiscal year for which the appropriations have been made. In doing so the people are afforded an oppor-

tunity to know and compare our appropriations with those of previous sessions, and to determine whether or not they have been wisely or unwisely made; whether or not they are extravagant in amount, or are no larger than are necessary to meet the needs of the public service.

The responsibility of the House of Representatives in respect to the appropriation of money from the Federal Treasury is a direct responsibility we owe to the people. It is a non-partisan responsibility. No political party, when in control of the Government, can have any other policy in respect to appropriations than that of appropriating no more and no less than is necessary for the exercise of the constitutional functions of the Government. To us, as the direct representatives of the people, the Constitution intrusts the power and the duty of originating the bills that authorize the distribution of the public revenue.

THE DEMOCRATIC FILIBUSTER.

It is a matter of sincere regret that, to accomplish a political purpose or to gain some partisan advantage in the coming Presidential campaign, the minority in this House deemed itself justified in disregarding its responsibility in this respect by pursuing the policy it has followed for almost two months, under the leadership of the distinguished gentleman from Mississippi [Mr. WILLIAMS], a policy which made it necessary for the majority, in order to transact any public business, to adopt rules of procedure under which nonpartisan questions in relation to the appropriation of public moneys could not be considered with that freedom of discussion and action that otherwise would have enabled this House to have prevented many of the increases that were finally agreed to. As the result of these increases, the aggregate of the appropriations made at this session is larger by many millions than it otherwise would be.

The constitutional right of one-fifth of the membership of the House to have a yea-and-nay vote on any measure, invoked by the minority and applied to every important and unimportant step in legislation in order to make effective their prolonged and unprecedented filibuster, instituted two months ago and persisted in until these very last hours of the session, compelled us of the majority to resort to the drastic rule under which we have operated in order to enact before the close of the fiscal year the requisite supply bills to maintain the life of the Government. Without the rule and policy thus forced upon us the appropriation bills, containing enormous increases by Senate amendments, particularly for the Army and Navy, would have received from the membership of this body deliberate and, I believe, different and more effective consideration. We could devise a rule that would compel the minority to permit a vote and conclusion on these absolutely necessary measures for support of the Government, but we could not deprive them of their power, in the exercise of a constitutional prerogative, to so consume the time of the House as to effectually preclude discussion and deliberate consideration of many of the appropriation bills.

UNUSUAL DEMANDS FOR APPROPRIATIONS.

While the action of the minority in this House is not responsible for the increased estimates and the demands for increased appropriations, the policy which that minority has pursued is responsible to a greater extent than any other cause for the lack of complete success which has attended the efforts of those who resisted these demands for increased appropriations.

The extent of these demands and the sources from which they came should also be stated, in justice to this House. A review of these demands as they appear in official documents presented to Congress will show that the estimates for the established public service and for previously authorized public works for the next fiscal year were more than \$156,000,000 in excess of appropriations made for the same purposes during the last session of the Fifty-ninth Congress. These demands or increased estimated expenditures, many of us believe, did not rest in fact upon the necessities of the public service. They were supported mainly by official recommendations to Congress backed by the approval of the press of the country, and they consisted largely of increased compensation to those in the civil and military branches of the public service.

In addition to the demands for increased appropriations for the established public service came the demand for the authorization and establishment of many new services and new activities upon the part of the Federal Government. Many of these were wholly without the constitutional functions of the Federal Government. Demands of this character are rapidly increasing. They are the result of, and are supported by, a general tendency throughout the country to increase the power of the Federal Government where the exercise of that increased power would relieve the States and private interests of the expense incident thereto. These demands come from all of the States, but more particularly from the States south of Mason and Dixon's

line. The many bureaus and offices of the Executive Departments here at the seat of Government are always eager to take on new services and the exercise of new powers whenever there arises among the States or the people of any section of the country a demand that they should do so. Demands of this character were greater at this session of Congress than ever before, and they may be expected to increase in the future unless the executive and legislative branches of the Government unite in resisting propositions for the exercise of these extra constitutional powers and the consequent encroachment upon the revenues of the Federal Government.

EFFORTS FOR ECONOMY RECEIVED SCANT SUPPORT.

Because of the nature of the demands and the sources from which these demands emanated, prominent Members of both Houses of Congress, and especially on both sides of this Chamber, whose voice and influence otherwise would have been most potential in checking these increased appropriations, sat here silent or aided those who sought their fulfillment. I am not criticising anyone. I am only stating for the record an indisputable fact. I do not deny that some of the increases made were just, but I do say that, in view of the present and prospective condition of our revenues, these increases in pay and increased expenditures on account of newly authorized Federal services could well have been postponed, and that, too, without detriment to the public service.

In our endeavor to check and keep down these increased expenditures and increased appropriations, we were throughout this session without support either from the public, from the press, from the minority, or from the Executive Departments of the Government. The increased appropriations of more than \$43,000,000 on account of the Army and Navy, or for preparation for war to the end that we may have peace, were not, in the judgment of many, necessary, and yet this increase was not as great as the amount demanded. The demand for these enormous increases in war expenditures did not originate with the representatives of the people. It originated elsewhere, and was supported largely by a misdirected public sentiment, to such an extent that a majority of this House and a majority in the other branch of Congress, including representatives of both political parties, supported them because they did not dare oppose them, while those who did oppose them were restricted in their efforts by the meaningless filibuster by the minority.

ANALYSIS OF APPROPRIATIONS.

The total appropriations made at this session of Congress, including those known as permanent appropriations, for the ordinary conduct of the Government during the fiscal year beginning July 1, 1908, and ending June 30, 1909, amount to \$851,088,670.92.

The total revenues of the Government, estimated to Congress as required by law by the Secretary of the Treasury in his annual report in December last, are placed at \$878,123,011.30.

In justice to the Secretary of the Treasury, who made this estimate, it should be said that the estimate was made up in September, before there was any indication of a decline in revenues as a result of the financial stringency which came upon the country the latter part of October last.

In addition to the authorized expenditures of \$851,088,672.92 for the operation of the Government during the next fiscal year, appropriations are also made as follows:

In deficiency acts, exclusive of \$12,466,750 for public buildings authorized at this session, \$44,529,223.65, which sum is payable from current and former revenues.

For requirements of the sinking fund, under the permanent appropriation made therefor by the act passed February 25, 1852, estimated at \$58,000,000.

For redemption of national-bank notes, under the permanent appropriation of the deposits made by the banks for that purpose, estimated at \$25,000,000.

For construction of the Panama Canal, which by law is payable or reimbursable from the proceeds of bonds authorized to be issued for the construction of the canal, \$29,187,000.

For miscellaneous and special objects, \$1,000,000, including \$250,000 for the relief of storm and flood sufferers in Mississippi and other Southern States and \$403,000 for the payment of claims of the Catholic Church in the Philippine Islands for the use and occupation of their property by the military forces.

These five sums, added to the appropriations made for ordinary expenses of the Government during the next fiscal year, make a grand aggregate of \$1,008,804,894.57.

The history of the appropriation bills for the session, which I will print, shows in detail and in aggregates the estimates of appropriations submitted to the Congress; the bills, as reported by the House committees, as passed by the House, as reported by the Senate committees, as passed by the Senate, and, finally, as they became laws after the differences between the two Houses were reconciled in conferences; and also for purposes of comparison the appropriations made for 1908 are shown.

The estimates submitted to Congress by the executive as a basis for the appropriations made, including regular annual expenses, deficiencies, miscellaneous, and permanent charges, amounted to \$1,079,449,288.96, or an excess over the total of all appropriations as finally approved by Congress during this session of \$70,644,394.39, and \$158,651,145.16 excess over all appropriations made at the last session of Congress.

The twelve regular annual appropriation bills for 1909, as passed by the House, appropriated only \$743,907,820.97. The last sum is a reduction under the regular estimates submitted to Congress at the beginning of the session of \$98,847,172.87.

Adding to the latter sum the additional estimates submitted to Congress since the session began, and carried in the table under estimates as miscellaneous at \$25,500,000, a total reduction by the House is shown in estimates for the ordinary operating expenses of the Government of \$124,347,172.87.

The Senate passed the twelve regular annual appropriation bills by increasing them over what they carried as passed by the House to the amount of \$73,453,553.76.

The twelve regular annual appropriation bills as finally enacted appropriate—

Less than the estimates, including additional or miscellaneous estimates, \$73,640,368.04;

More than as passed by the House, \$50,706,804.83;

Less than as passed by the Senate, \$22,746,748.93; and

More than the regular appropriation acts for the current fiscal year \$36,850,701.53.

The grand total of all appropriations made at this session, including the regular annual bills, deficiencies, miscellaneous, and permanents, exceed those of last session by \$88,006,750.77.

A comparison of each of the general appropriation bills and other general titles of appropriations with those of the last session of Congress is shown in the following table:

Differences in the appropriation measures of this session, compared with those of the last session of Congress.

Title of bill.	Increase.	Reduction.
Agriculture.....	\$2,224,816.02	
Army.....	16,747,664.83	
Diplomatic and consular.....	485,130.19	
District of Columbia.....		\$322,920.78
Fortifications.....	2,410,134.00	
Indian.....		871,728.28
Legislative.....	707,487.20	
Military Academy.....		1,084,008.55
Navy.....	23,703,977.97	
Pension.....	16,910,000.00	
Post-office.....	10,871,199.00	
River and harbor (none this session).....		87,108,083.00
Sundry civil.....	2,168,101.92	
Deficiencies.....	44,586,974.74	
Miscellaneous.....	2,261,099.38	
Permanents.....	4,307,975.12	
Total.....	127,393,560.38	89,386,809.61
Net increase.....	39,386,809.61	
	88,006,750.77	

DEFICIENCIES IN APPROPRIATIONS NOT LARGE.

The total appropriations made apparently on account of deficiencies at this session, amounting to \$56,995,973.65, exceed the amount of the last session by \$44,586,974.74. This unusual sum is due not to any violation of the antideficiency legislation so recently enacted, or to ill-advised or inadequate appropriations made last session, but is more than accounted for by the sum of \$12,466,750 for public buildings authorized at this session, and by two other sums, one of \$10,000,000 for the payment of pensions required on account of the law passed at this session to increase the pensions of widows of soldiers, and another of \$12,178,900 to continue the work on the Panama Canal. At the last session of Congress all the money was appropriated that was asked for or that could, under the expectations then entertained, be expended during the current fiscal year in the construction of the canal; but the rapid progress under the splendid organization at work on the Isthmus made it necessary to supply as a deficiency in the current appropriations the sum given in order to avoid a suspension of the work.

Deducting the three sums named, together with \$11,791,342 for the Army and Navy expenditures, to which the prohibitive deficiency legislation does not apply, and the sum left for deficiencies, only \$10,558,981.65, is gratifyingly small, and much less than the ordinary deficiencies for any of the recent years.

RELATION OF EXPENDITURES TO WEALTH.

At the request of the Committee on Appropriations the Director of the Census has recently prepared and furnished, for their information, tables showing the actual expenditures of the Federal Government from 1791 to 1907, by fiscal years, and by four-year periods corresponding to the several Administrations.

In connection with these statistics Director North has furnished an analysis so valuable and informing to all who are interested in the problem of governmental expenditures that I shall ask its insertion in the RECORD as a part of my remarks.

The most significant fact to be derived from an inspection of the relationship of expenditures for the maintenance of government to the aggregate wealth of the nation is the uniformity for a long series of years of the proportion shown. This uniformity, as indicated in the tables and analysis, exists not only in the expenditures for the Federal Government, but also in the tax levies for State, municipal, and local government. Practically no variation whatever appears in the proportion of expenditure for the Federal Government per \$1,000 of national wealth, but such increase as appears is indicated in the tax levies made for government other than Federal. The figures presented suggest a tendency to increase expenditures for State or local government more rapidly than for the Federal Government.

The truth of this apparent tendency is confirmed by the fact that the census report of 1890, the first to present the aggregate payment for all expenditures of all classes, as distinguished from mere tax levies, for States, counties, cities, and minor civil divisions, including schools, amounted to \$569,252,634, or \$9.30 per \$1,000 of national wealth. In 1902, however, the year in which the next census inquiry upon this subject was made, the aggregate payment for expenditures of this class had nearly doubled, amounting to \$1,156,447,085, or \$12.80 per \$1,000 of national wealth.

In general, therefore, it appears to be an established fact that while the expenditures for the maintenance of the National Government have steadily increased during the whole period of national existence, and latterly much more than I believe they should, they have maintained an almost uniform proportion, except during the period of the civil war, in comparison with each \$1,000 of national wealth; but that the expenditures made for the maintenance of State and local governments of all kinds

have shown a decided tendency to increase in proportion to each \$1,000 of national wealth, thus reflecting the general tendency of the age and of the nation, as wealth increases, to make more liberal expenditures for the maintenance of various classes of government and governmental institutions.

The actual per capita expenditure for the maintenance of the Federal Government during the first period, from 1791 to 1796, as shown by the Census Office, was \$1.34. It would be natural to contrast this figure with the per capita of annual expenditure for the last fiscal year, amounting to \$8.91; but it will be evident upon reflection that there is no comparison possible between the mere per capita themselves without consideration of the resources of the nation at the two periods mentioned. Except in time of war or in periods of great depression, there is of necessity in every nation a rough relation between the expenditures for the maintenance of government and the ability of the nation to furnish such resources. Unfortunately, there exists no information concerning the aggregate wealth of the United States at the beginning of the nineteenth century. The earliest data upon the subject was collected at the Seventh Census in 1850.

THIS CONGRESS DESERVES PRAISE.

Mr. Speaker, in conclusion I want to commend this Congress as it is concluding the labors of its first session, and pay tribute to the courage it has manifested in its acts of commission as well as those of omission. Whatever the unthinking or the superficial critic may now say, the impartial and nonpartisan historian will hereafter record and truthfully state that, in the affirmative work performed and in contending against and successfully resisting unconstitutional demands upon the powers and the Treasury of the Federal Government, the work of no previous session is comparable with the work of the first session of the Sixtieth Congress. [Great applause on the Republican side.]

The history of the appropriation bills of this session and the analysis of public expenditures made by the Census Office to which I have referred follow:

History of appropriation bills, first session of the Sixtieth Congress; estimates and appropriations for the fiscal year 1908-9, and appropriations for the fiscal year 1907-8.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates, 1909.	Reported to the House.	Passed the House.	Reported to the Senate.	Passed the Senate.	Law, 1908-9.	Law, 1907-8.
Agriculture.....	\$10,666,351.00	\$11,431,346.00	\$11,568,806.00	\$11,642,146.00	\$12,152,406.00	\$11,672,106.00	\$9,447,290.00
Army.....	89,755,833.75	85,007,566.56	84,207,566.56	98,820,409.12	98,840,409.12	95,382,247.61	78,634,582.75
Diplomatic and consular.....	3,990,320.91	3,508,963.91	3,508,963.91	3,967,805.91	3,597,230.91	3,577,463.91	3,092,333.72
District of Columbia.....	13,798,126.35	9,561,449.35	9,560,499.35	11,494,887.35	11,575,513.85	10,117,698.85	10,440,598.63
Fortification.....	38,443,945.36	8,210,611.00	8,210,611.00	11,510,187.01	12,116,187.01	9,317,145.00	6,898,011.00
Indian.....	8,219,272.87	8,020,597.87	8,179,097.87	9,904,920.03	10,532,826.87	9,253,347.87	10,125,076.15
Legislative, etc.....	35,040,066.13	32,336,573.00	32,302,918.00	32,945,631.00	32,965,631.00	32,333,821.00	32,126,333.80
Military Academy.....	977,087.87	825,837.87	825,837.87	914,967.87	914,867.37	845,634.87	1,929,708.42
Navy.....	125,791,349.80	103,967,518.43	105,405,768.43	112,584,799.88	123,115,659.88	122,062,485.47	98,958,507.50
Pension.....	151,043,000.00	150,869,000.00	150,869,000.00	163,053,000.00	163,053,000.00	163,053,000.00	146,143,000.00
Post-office.....	230,441,016.00	220,765,392.00	222,355,892.00	229,027,367.00	229,706,367.00	222,962,392.00	212,091,193.00
River and harbor.....	(^c)					(^d)	(^e)
Sundry civil.....	\$134,618,623.80	105,715,369.48	106,972,864.98	118,032,263.22	118,791,275.72	\$112,037,313.22	\$110,769,211.30
Total.....	842,754,993.84	740,220,225.47	743,907,820.97	804,298,384.79	817,351,374.73	794,614,625.89	757,763,924.27
Urgent deficiency, 1908 and prior years.....		24,074,450.26	23,725,188.25	21,083,267.12	24,083,500.48	\$24,050,125.48	
Additional urgent deficiency, 1908 and prior years.....	\$57,000,000.00	2,025,500.00	2,110,500.00	2,163,000.00	2,163,000.00	2,163,000.00	12,408,998.91
Deficiency, 1908 and prior years.....		17,342,572.89	17,344,322.89	18,374,811.43	18,385,316.88	\$30,782,848.17	
Total.....	899,754,993.84	783,692,748.62	787,087,832.11	848,919,463.34	861,993,192.09	851,610,599.45	770,172,923.18
Miscellaneous.....	\$25,500,000.00					\$3,000,000.00	738,900.62
Total, regular annual appropriations.....	925,254,993.84					854,610,599.45	770,911,823.80
Permanent annual appropriations.....	\$154,194,295.12					\$154,194,295.12	149,886,320.00
Grand total, regular and permanent annual appropriations.....	1,079,449,288.96					1,008,804,894.57	\$920,798,143.80

Amount of estimated revenues for fiscal year 1909.....

\$658,000,000.00

Amount of estimated postal revenues for fiscal year 1909.....

220,123,011.30

Total of estimated postal revenues for fiscal year 1909.....

878,123,011.30

^a One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1909 at \$130,800), which are payable from the revenues of the water department.

^b Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

^c No amount is estimated for rivers and harbors for 1909 except the sum of \$27,142,744 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1909.

^d No river and harbor act passed for 1909.

^e In addition to this amount the sum of \$6,392,730 is appropriated by the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1908.

^f This amount includes \$27,142,744 to carry out contracts authorized by law for river and harbor improvements and \$33,183,143.60 for construction of the Isthmian Canal for 1909.

^g This amount includes \$17,806,645 to carry out contracts authorized by law for river and harbor improvements and \$29,187,000 for construction of the Isthmian Canal for 1909.

^h This amount includes \$6,392,730 to carry out contracts authorized by law for river and harbor improvements and \$27,161,367.50 for construction of the Isthmian Canal for 1908.

ⁱ This amount is approximated. Under deficiency estimates there is included \$12,466,750 for public buildings under the new public-buildings act.

^j This amount includes \$12,178,900 for construction of the Isthmian Canal.

^k This amount includes \$10,000,000 for payment of pensions and \$12,466,750 for construction of public buildings under the new public-buildings act.

^l This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1909, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year. This amount includes estimated amount of \$38,000,000 to meet sinking-fund obligations for 1909 and \$25,000,000 estimated redemption of national-bank notes in 1909 out of deposits by banks for that purpose.

^m In addition to this amount, contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the naval act, \$15,750,000; by the river and harbor act, \$49,829,349; by the sundry civil act, \$2,355,000; in all, \$67,934,349.

ANALYSIS OF PUBLIC EXPENDITURES.

The following table summarizes the expenditures shown in detail in the table on pages 7 to 36. (Document prepared for House Committee on Appropriations.) Expenditures are there presented by years in four-year or administration periods, from 1791 to 1907, and in the table which follows by specified groups of years. Per capita annual expenditures, both in amount and ratio, are also presented. The figure given in the column "ratio" is the quotient secured by dividing the per capita expenditures of the period under consideration by the corresponding per capita for the years from 1791 to 1796.

TABLE 1.—A.—Total and per capita expenditures of the National Government for all purposes for specified periods, 1791–1907.

Period.	Average annual expenditures.	Per capita annual expenditures.	
		Amount.	Ratio.
1791–1796.....	\$5,854,172	\$1.34	1.00
1821–1828.....	17,081,344	1.59	1.19
1846–1853.....	49,137,138	2.23	1.66
1878–1885.....	294,855,816	5.66	4.22
1898–1905.....	658,082,414	8.17	6.10
1906.....	736,717,502	8.72	6.51
1907.....	762,488,752	8.91	6.65

B.—Paid from general revenues for specified periods, 1791–1907.

Period.	Average annual expenditures.	Per capita average expenditures.	
		Amount.	Ratio.
1791–1796.....	\$5,832,509	\$1.32	1.00
1821–1828.....	16,407,424	1.47	1.11
1846–1853.....	44,266,671	2.02	1.53
1878–1885.....	257,019,281	4.93	3.73
1898–1905.....	521,026,625	6.65	5.00
1906.....	568,781,799	6.73	5.10
1907.....	578,903,746	6.77	5.13

C.—For the United States Post-Office for specified periods, 1791–1907.

Period.	Average annual expenditures.	Per capita annual expenditures.			
		Paid from postal revenues.	Paid from general revenues.	Total.	
				Amount.	Ratio.
1791–1796.....	\$83,784	\$0.02	-----	\$0.02	1.00
1821–1828.....	1,273,916	.13	-----	.12	6.00
1846–1853.....	5,390,961	.21	\$0.02	.23	11.50
1878–1885.....	41,638,131	.73	.07	.80	40.00
1898–1905.....	126,608,377	1.54	.10	1.62	81.00
1906.....	180,606,077	1.99	.15	2.14	107.00
1907.....	191,214,389	2.15	.09	2.24	112.00

The expenditures in not only the Federal Government but all State and local governments, are met in part from public taxes and in part from other revenues. In the Federal Government the latter class comprises principally revenues received as compensation for services rendered by the Post-Office.

The postal expenditures in 1907 were 112 times greater than those of the six years of Washington's Administration for which the table presents data. Comparison of the expenditures for postal service in 1907 with similar expenditures in 1791 (but \$36,697) shows that such ex-

penditure increased 248 times as rapidly as population, while all governmental expenditures increased about 6.3 times.

The increase of national expenditures actually met from taxation is reflected fairly well by the figures given above, although the reported expenditures include payments for other purposes than the cost of government and payments that are not met from the proceeds of national taxation. Among the payments of the first class so included are those for the expenditures of the District of Columbia disbursed through the National Treasury, the payments of trust moneys, and duplications of many kinds. Among the payments of the second class are those for governmental expenditures which are met from fees for services, such as those of the Patent Office and of the General Land Office. The payments for both of these classes, like the expenditures of the Post-Office, have increased much faster than the expenditures met from public taxation. The data for an exact exhibit of these payments are, however, not readily available. If they were, it would be found that the actual increase of expenditures payable from national taxes was slightly less than indicated by the table.

EXPENDITURES WITH RELATION TO POPULATION.

National expenditures payable from taxes have increased in one hundred and eleven years something over five times as fast as population. The relative increase was much slower in the first sixty years of national life than in the last fifty. The greatest increase was in the period which includes the civil war, and largely represents the increase in the governmental payments for interest and pensions. Just prior to the civil war these payments were only 13 cents per capita per annum. This was the lowest in the national history, and was less than one-fifth the corresponding per capita payment of 1796 to 1800. The per capita annual payments for interest and pensions in the four years ending June 30, 1869, were \$4.22, and by 1907 had declined to \$1.92. This decline was balanced by a relative increase of other costs of government, so that in 1907 the per capita for all expenditures payable from taxes was not far from five times what it was in Washington's time. The same statement can also be made of all such expenditures, exclusive of those for interest and pensions.

The average annual per capita expenditures of the National Government payable from taxes for the eight years 1846 to 1853 was \$2.02; for the eight years ending June 30, 1905, it was \$6.65; and for the year ending June 30, 1907, \$6.77. The average for the eight years 1893 to 1905 was 3.29 times, and that for 1907 was 3.35 times, the corresponding average for the period 1846 to 1853. To the extent represented by these numbers did the expenditures payable from taxes increase faster than population.

EXPENDITURES WITH RELATION TO NATIONAL WEALTH.

The per capita of national taxable wealth was \$308 in 1850 and \$1,234 in 1904. In the latter year it was four times what it was in 1850, indicating that the relative ability of the nation to pay taxes had increased in fifty-four years four times, while the national expenditures payable from taxes had increased in the fifty-seven years ending in 1907 only 3.35 times. The national wealth, or the ability to meet governmental expenditures, increased at least 20 and possibly 25 per cent more than did the national expenditures to be met from taxation. Considering the number of people in the country to be taxed, the present National Administration makes the Government 3.35 times as costly to the taxpayer as did the Government of 1846 to 1853. But taking account of the wealth of the citizens or their ability to support the Government, the Administration of the United States in 1907 was only 75 or 80 per cent as burdensome as that which controlled the country at the middle of the last century.

INCREASE IN THE EXPENDITURES OF THE NATIONAL GOVERNMENT AS COMPARED WITH THOSE OF STATE, MUNICIPAL, AND LOCAL GOVERNMENTS.

The following table presents the actual expenditures of the Federal Government by decades, from 1850 to 1907, a period of fifty-seven years, and the amount which such expenditures represents per \$1,000 of national wealth as compiled at the various census periods mentioned. The proportion per \$1,000 of national wealth of the taxes levied to meet the expenditure, including schools, for government other than Federal, from 1860 to 1902, and the grand total of expenditure for government, exclusive of Federal, compiled only at the Eleventh and Twelfth Censuses, are also presented.

Total national wealth and expenditures of the Federal Government and of State, county, municipal, and all local governments, per \$1,000 of wealth, 1850 to 1907.

Year.	Total national wealth.	Total expenditures of National Government (taxable).		Tax levy for expenditures for States, counties, cities, minor civil divisions, including schools.		Payment for expenditures for States, counties, cities, minor civil divisions, including schools.	
		Amount.	Per \$1,000 of national wealth.	Amount.	Per \$1,000 of national wealth.	Amount.	Per \$1,000 of national wealth.
1850.....	\$7,135,780,228	\$46,448,368	\$6.5	-----	-----	-----	-----
1860.....	16,159,616,068	71,718,943	4.4	\$94,186,746	\$5.8	-----	-----
1870.....	24,054,814,806	313,429,226	13.2	228,185,029	9.4	-----	-----
1880.....	41,067,122,009	298,163,117	7.3	313,921,474	7.6	-----	-----
1890.....	61,203,755,972	358,618,585	5.9	471,365,140	7.7	\$569,252,634	\$9.3
1900.....	82,304,517,845	590,038,371	7.2	-----	-----	-----	-----
1902.....	*61,238,782,842	593,038,905	6.5	724,736,539	7.9	1,156,447,085	12.8
1904.....	100,272,947,810	725,934,946	7.2	-----	-----	-----	-----
1907.....	*112,749,270,337	762,488,752	6.7	-----	-----	-----	-----

* Estimated on basis of increase 1900–1904.

The expenditures of the National Government payable from taxation may be compared with the general property taxes levied for the support of State and municipal governments. The tax levies for State and municipal governments were ascertained by the Bureau of the Census for 1880, 1890, and 1902. For 1880 the per capita of such levies was \$6.26, and in 1902, \$9.22. In twenty-two years it increased 47.3 per cent. The per capita of national expenditures payable from taxation in 1880 was \$5.28, and in 1902, \$5.91, and in 1907, \$6.77. The percentage of increase from 1880 to 1902 was 12, and from 1880 to 1907 only 28.2. The former was only a fourth and the latter barely 60 per cent of the corresponding percentage of increase of State and local taxation for twenty-two years. State and local taxation is increasing proportionately with national wealth and the ability of the people to meet the

added costs of local government, while national expenditures—though growing rapidly—do not keep pace with the increasing national wealth; and so the burden of National Government becomes smaller and smaller with the passing of the decades—at least, that has been the general trend of affairs since the middle of the nineteenth century, in spite of the cost of the civil war with its legacy of heavy interest and pension charges.

I yield five minutes to the gentleman from Kansas [Mr. Scott].

Mr. SCOTT. The gentleman from Minnesota has been kind enough to show me a copy of the table to which he has re-

ferred in his statement, in which he has presented in detail the estimates and appropriations for the current session of Congress. This statement, in its reference to the estimates and appropriations for the support of the Department of Agriculture, is technically correct. In point of fact, however, it creates a wrong impression, and it is to correct this that I have asked for this brief time.

The table shows the estimates for the Department of Agriculture to be \$10,666,351, and the appropriation to be \$11,672,106, making it appear that the appropriation is in excess of the estimates something over \$1,000,000. But this statement takes no account of the supplemental estimates that were submitted after the Book of Estimates was printed. There were five of those supplemental estimates as follows:

One in the sum of \$25,000, to cover the necessary expenses for collecting evidence and securing the enforcement of the act of June 29, 1906 (34 Stat., p. 607), entitled "An act to prevent cruelty to animals while in transit by railroad or other means of transportation."

One of \$60,000 for the erection of a main observatory building at Mount Weather, Virginia, to replace the observatory building destroyed by fire February 23, 1907, and for the erection of a central heating and power plant, and so forth, thereat.

One of \$100,000, to provide for the necessary expenses in carrying out the provisions of the act of June 11, 1906.

One of \$2,000,000, for protection and permanent improvement of the national forests.

Altogether the supplemental estimates amounted to the sum of \$2,185,000, making a total amount of estimates submitted for the support of the Department of Agriculture, \$12,851,351.

The amount carried in the bill as reported from the House Committee on Agriculture was \$11,431,346, showing a reduction below the estimates of \$1,420,005. As passed by the House the bill carried \$11,508,806, still showing a reduction below the estimates of \$1,342,545. As the bill passed the Senate it carried \$12,152,406, an increase over the House bill of \$643,600. As the bill finally became law it carried \$11,672,106, showing a reduction from the estimates of \$1,179,245, instead of an increase of something above \$1,000,000, as shown by the comparison of the Book of Estimates with the final statement. I thought it was only fair to the Committee on Agriculture, Mr. Speaker, that this statement should be made.

Mr. MONDELL. Will the gentleman yield for a question?

Mr. SCOTT. Yes.

Mr. MONDELL. I desire to ask the gentleman if the supplemental estimates to which he refers were in fact all of them supplemental estimates in regular form, transmitted through the regular channels?

Mr. SCOTT. Two of them were. Three of them were not; and I wish to say very frankly that if the present chairman of the Committee on Agriculture had been as well posted as he ought to have been upon the law covering the submission of supplemental estimates, this error would have been corrected. As a matter of fact, the law was never called to his attention until after the estimates had come in, in the shape of letters direct from the Secretary of Agriculture, and they were therefore not sent back, as they perhaps should have been, to be presented in the regular way as required by the law; but they were considered by the committee and in that way became a part, it seemed to us, of the regular estimates from the Department.

Mr. MONDELL. One of the irregular estimates, as I understand it, was the estimate of \$2,000,000 for the work of the Forestry Service.

Mr. SCOTT. Referring to that, the gentleman will permit me to make this statement: In the Book of Estimates there appeared this note in connection with the Bureau of Forestry:

The SPEAKER pro tempore (Mr. WASHBURN). The time of the gentleman has expired.

Mr. TAWNEY. I yield the gentleman two minutes more to answer the question.

Mr. SCOTT. There appeared this note in connection with the Bureau of Forestry:

NOTE.—The appropriation of \$500,000 for the administration, protection, and development of the national forests, together with its several provisions, have been omitted, as the provisions are continuing legislation and as a separate estimate will be submitted for such money as may be necessary for the administration, protection, and development of the national forests.

Notice was thus given in the Book of Estimates that a supplemental estimate would be sent in later, and that supplemental estimate came, and I hold it now in my hand in the shape of a letter from the Secretary of Agriculture to the chairman of the Committee on Agriculture.

Mr. MONDELL. I know the gentleman now appreciates that these irregular estimates mislead the Members in that they are not fully informed in regard to them, as they would be in regard to a regular estimate.

Mr. SCOTT. Nobody appreciates that better than I do, and I think I can promise the gentleman that there will be no offenses committed in this direction next year if it is within the power of the Committee on Agriculture to prevent.

Mr. STEPHENS of Texas. I desire to inquire if the item to provide for the Appalachian Forest Reserve survey was contained in the bill finally?

Mr. SCOTT. There was no estimate for such a survey. That appropriation was made last year and was not repeated this year because the work had been completed.

Mr. STEPHENS of Texas. Has the report been made?

Mr. SCOTT. Yes; and it is published as a Senate document.

Mr. FITZGERALD. Mr. Speaker, speaking for the Democratic members of the Committee on Appropriations and at their direction, I desire to present the following review of our appropriations and of the country's financial condition:

It is a prodigious task to examine the Departmental estimates. The gentleman from Minnesota [Mr. TAWNEY] has not overstated the difficulties of those upon whom the burden is placed. The country would have been benefited had the recommendations of the committees charged with the preparation of the supply bills been more generally heeded by the House. The importunities of those outside are sufficiently difficult to resist, without having the membership of the House take sides against its committees on questions of expenditure.

The gentleman from Minnesota [Mr. TAWNEY] enunciated a new doctrine. It will be a surprise to the country to hear his explanations of the enormous appropriations of this Congress. He attributes the wastefulness, the recklessness, and the extravagance of his own party, in complete control of the Government, to the fact that the Democratic minority of the House has exercised its constitutional right to call the roll upon every question submitted to the House. The purpose of the minority was to center the attention of the country on the work of Congress, and that purpose has been successfully accomplished.

Mr. Speaker, I recall when the naval appropriation came back from conference it was not to the vigilance of the majority, but to the vigilance of the minority that it was discovered that the conferees on that bill, in violation of all rules of parliamentary law, had inserted a provision carrying a large sum of money. It was not the action of the minority that prevented that report being rejected, but it was the partisan action of a Republican Speaker who permitted the conference report to come up under a motion to suspend the rules instead of being brought up as the conference report on this bill is in the regular and orderly manner that enabled the Republican conferees, in violation of the rules, to insert and retain in the bill an item that was never considered in either House of Congress. The record vote upon the adoption of that report will show that more Democrats voted to reject the report, because of the improper action, as well as the unjustifiable extravagance of that bill, than did Republican Members of this House. I challenge the chairman of the Committee on Appropriations now, and I shall yield to him to answer, to name a single item of large appropriation where the RECORD does not show more Democrats recorded against it than there are Republicans recorded against it. [A pause.]

The gentleman does not care to answer. I make the assertion that in every instance when his committee was overridden, or when appropriations were improperly enlarged, more Republicans voted the reckless appropriation than did the Democrats, and more Republicans in proportion to their numbers in this House than Democrats. With a majority of fifty-seven Members in this House it is a pitiable spectacle for the chairman of the great Committee on Appropriations to have to plead that the majority of fifty-seven was unable to prevent the minority from looting the Treasury. Despite, Mr. Speaker, what I consider an extraordinary attempt of the gentleman from Minnesota to place the sins of his party upon his political opponents, and despite the extraordinary character of his statement at this time we of the minority desire to pay a highly deserved tribute to the industry, the fearlessness, the patriotism and the high purpose which have characterized the labors of the chairman of the Committee on Appropriations [Mr. TAWNEY]. It has been a source of keen gratification to have worked with him, knowing that his only ambition has been honestly to serve the country and to conserve the public interests. He deserved more loyal support from his party associates. Had he received that aid and cooperation from his own party which should have been freely given, all honest men would now have great cause to rejoice.

The Congress is now about to adjourn. This session has been the most profligate in our history. Extravagance has run riot; the Treasury has been depleted; the public money has been shamefully squandered.

On January 13 of this year I stated that "preparations have been made to squander the public treasure with a lavishness heretofore unknown." The record of this session is in complete harmony with that declaration. No other nation in the civilized world could be so reckless with its treasure and escape disaster.

The responsibility rests with the Republican party. It can not evade the issue. Every energy seems to have been concentrated upon the task of emptying the Treasury and of making imperative the issuance of bonds by the next Administration in order to defray the ordinary expenditures of the Government. The dreaded handwriting has apparently been seen upon the wall, and the Republican party is demoralized and shaken; it can not shift responsibility to a helpless minority.

The appropriations for the next fiscal year aggregate the enormous sum of \$1,008,804,894.57.

To those who have given only slight attention to the country's finances the statement will undoubtedly be startling; when contrasted with expenditures for other periods in our history amazement at Republican recklessness quickly gives way to alarm for the country's future. Expenditures have been authorized as if the wave of prosperity were still rolling high instead of having broken, as it has, and tumbling into the trough of a severe industrial depression.

The detailed statement of the appropriations compared with the estimates by the Departments, the amounts authorized at the last session and the action of the House and Senate is shown in table below.

The estimated revenues stated in the following statement are the estimates made by the Treasury Department prior to the panic. We shall demonstrate later that it is in all probability at least \$100,000,000 too large, and that not more than \$785,000,000 is likely to be realized.

Never but once in our history did the expenditures of our Government reach the thousand million dollar mark. For the fiscal year 1865, when the country was in the throes of a bitter,

bloody, and expensive civil war, the expenditures aggregated the enormous total of \$1,394,655,448. Of this sum \$1,030,690,400 were for the maintenance of the Army.

To aid in a proper appreciation of the enormity of the appropriations authorized at this session it may be well to recall that in 1862 the total expenditures were \$477,870,062; in 1863, \$729,898,066; in 1864, \$877,407,355. Despite the terrible drain of the civil war, in no year except 1865 did our expenditures even approximate the authorized appropriations made during this session.

Some other comparisons may help to fix attention upon what has been done at this session to accelerate the flow of the golden stream from the Treasury.

The total expenditures during the Buchanan Administration (four fiscal years, 1858 to 1861) were \$305,149,822.

During the four fiscal years ending in 1865, with the civil war raging, the total expenditures were \$3,394,830,931.

In the four fiscal years ending in 1869 the total expenditures were \$1,621,652,538.

In the four fiscal years ending in 1873 the total expenditures were \$1,217,337,854.

In the four fiscal years ending in 1877 the total expenditures were \$1,191,735,968.

Bear in mind, Mr. Speaker, that these are the expenditures during four-year periods. They are not much more than the sum appropriated at this session of Congress.

In the four fiscal years ending in 1881 the total expenditures were \$1,157,831,864.

In the four fiscal years ending in 1885 the total expenditures were \$1,201,014,662.

In the four fiscal years ending in 1889 the total expenditures were \$1,253,722,713.

In the four fiscal years ending in 1893 the total expenditures were \$1,655,241,809.

In the four fiscal years ending in 1897 the total expenditures were \$1,758,902,462.

History of appropriation bills, first session of the Sixtieth Congress; estimates and appropriations for the fiscal year 1908-9, and appropriations for the fiscal year 1907-8.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates, 1909.	Reported to the House.	Passed the House.	Reported to the Senate.	Passed the Senate.	Law, 1908-9.	Law, 1907-8.
Agriculture.....	\$10,666,351.00	\$11,431,346.00	\$11,508,806.00	\$11,642,146.00	\$12,152,406.00	\$11,672,106.00	\$9,447,290.00
Army.....	89,755,833.75	85,007,566.66	84,207,566.66	98,820,409.12	98,840,409.12	95,382,247.61	78,634,582.75
Diplomatic and consular.....	3,960,320.91	3,508,963.91	3,508,963.91	3,967,805.91	3,597,230.91	3,577,463.91	3,092,333.72
District of Columbia ^a	13,798,123.35	9,561,449.35	9,560,499.35	11,494,887.35	11,575,513.85	10,117,668.85	10,440,598.63
Fortification.....	38,443,945.36	8,210,611.00	8,210,611.00	11,510,187.01	12,116,157.01	9,317,145.00	6,898,011.00
Indian.....	8,219,272.87	8,020,597.87	8,179,097.87	9,904,920.93	10,532,626.87	9,253,347.87	10,125,076.15
Legislative, etc.....	35,040,066.13	32,336,573.00	32,302,913.00	32,945,631.00	32,965,631.00	32,833,621.00	32,126,333.80
Military Academy.....	977,087.87	825,837.87	825,837.87	914,967.87	914,867.87	845,634.87	1,929,708.42
Navy.....	125,791,349.80	103,997,518.43	105,406,768.43	112,084,739.88	123,115,650.88	122,062,485.47	98,958,507.50
Pension.....	151,043,000.00	150,869,000.00	150,869,000.00	163,053,000.00	163,053,000.00	163,053,000.00	146,143,000.00
Post-office ^b	230,441,016.00	220,765,392.00	222,355,892.00	229,027,367.00	229,706,367.00	222,962,392.00	212,091,193.00
River and harbor.....	(^c)					(^d)	* 37,108,083.00
Sundry civil.....	* 134,618,623.80	105,715,399.48	106,972,864.98	118,032,263.22	118,791,275.72	* 112,937,313.22	* 110,769,211.30
Total.....	842,754,933.84	740,220,225.47	743,907,820.97	804,298,384.79	817,361,374.78	794,614,625.80	757,763,924.27
Urgent deficiency, 1908, and prior years.....		24,074,450.26	23,725,188.25	24,083,267.12	24,083,500.48	* 24,050,125.48	
Additional urgent deficiency, 1908, and prior years.....	* 57,000,000.00	2,625,500.00	2,110,500.00	2,163,000.00	2,163,000.00	2,163,000.00	
Deficiency, 1908, and prior years.....		17,342,572.89	17,344,322.89	18,374,811.43	18,385,316.88	* 30,782,848.17	12,408,998.81
Total.....		783,662,748.62	787,087,832.11	848,919,463.34	861,903,192.09	851,610,599.45	770,172,923.18
Miscellaneous.....	* 25,500,000.00					* 3,000,000.00	738,900.62
Total, regular annual appropriations.....	925,254,933.84					852,610,599.45	770,911,823.80
Permanent annual appropriations.....	* 154,194,295.12					* 154,194,295.12	149,886,320.00
Grand total, regular and permanent annual appropriations.....	1,079,449,288.96					1,008,804,894.57	* 920,798,143.80

Amount of estimated revenues for fiscal year 1909.....

Amount of estimated postal revenues for fiscal year 1909.....

Total of estimated revenues for fiscal year 1909.....

* One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1909 at \$130,860), which are payable from the revenues of the water department.

^b Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

^c No amount is estimated for rivers and harbors for 1909 except the sum of \$27,142,744 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1909.

^d No river and harbor act passed for 1909.

^e In addition to this amount the sum of \$6,392,730 is appropriated by the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1908.

^f This amount includes \$27,142,744 to carry out contracts authorized by law for river and harbor improvements and \$33,183,143.60 for construction of the Isthmian Canal for 1909.

^g This amount includes \$17,906,645 to carry out contracts authorized by law for river and harbor improvements and \$29,187,000 for construction of the Isthmian Canal for 1909.

^h This amount includes \$6,392,730 to carry out contracts authorized by law for river and harbor improvements and \$27,161,367.50 for construction of the Isthmian Canal for 1908.

ⁱ This amount is approximated. Under deficiency estimates there is included \$12,466,750 for public buildings under the new public-buildings act.

^j This amount includes \$12,178,900 for construction of the Isthmian Canal.

^k This amount includes \$10,000,000 for payment of pensions and \$12,466,750 for construction of public buildings under the new public-buildings act.

^l This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1909, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year. This amount includes estimated amount of \$38,000,000 to meet sinking-fund obligations for 1909 and \$25,000,000 estimated redemption of national-bank notes in 1909 out of deposits by banks for that purpose.

^m In addition to this amount, contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the naval act, \$15,750,000; by the river and harbor act, \$49,829,349; by the sundry civil act, \$2,355,000; in all, \$67,934,349.

In the four fiscal years ending in 1901 the total expenditures were \$2,444,141,683.

During these four years the war with Spain was conducted and large expenditures necessarily made by reason thereof.

The expenditures during the four fiscal years ending in 1869, immediately after the civil war, were \$1,773,178,393, less than during 1862 to 1865, a reduction of about 50 per cent.

The second four-year period after the civil war, ending in 1873, saw a reduction from the expenditures of the preceding four years of \$404,000,000, or about 25 per cent of the reduced expenditures during the four years ending in 1869.

In the four fiscal years ending in 1905 the total expenditures were \$2,679,452,799. These were the first four years of President Roosevelt's Administration. The expenditures during these four years were \$235,000,000 in excess of the expenditures during the preceding four years, when the cost of the war with Spain had to be met. After the civil war the cost of conducting the Government for the four years that followed was 50 per cent less than during the four years of the war.

After the war with Spain, under the Presidency of Theodore Roosevelt, the cost of maintaining the Government for the four following years was 10 per cent greater than during same period when the war was waged.

Evidently, Mr. Speaker, some things are expensive and come high.

Remarkable as these figures are, yet the imagination is paralyzed and patriotic sensibilities are deadened when the cost in money of a Roosevelt Administration is expressed in cold figures. During the civil-war years, 1862-1865, the total expenditures were \$3,394,830,931.

Undoubtedly it is difficult to comprehend the magnitude of these figures. The amount involved is always better appreciated by keeping in mind the stupendous character of the military operations of the times, which necessarily required unprecedented expenditures.

In these days of peace, if not of alarming prosperity, can it be other than a shock to learn that the expenditures for the two past years and the appropriations for the current fiscal year and for the one next ensuing—the four years of Theodore Roosevelt in his own right, as some are wont to say—will aggregate a sum in excess of the amount expended during civil-war years 1862-1865.

During those years the expenditures were \$3,394,830,931.

Under President Roosevelt the expenditures have been in 1906 (fiscal year), \$736,717,582; 1907 (fiscal year), \$762,488,752; appropriations for 1908 (fiscal year), \$920,798,143; appropriations for 1909, \$1,008,804,894; grand total, \$3,428,809,371; \$33,978,440 more than was expended during the four years of the civil war.

It may be said that the appropriations and expenditures are compiled upon a different basis, and comparison can not fairly be made from such figures. It can justly be said, however, that the expenditures have been used as the basis so far as it has been possible to ascertain them, and that for the current year and for the next ensuing fiscal year there can be used no figures except those which represent amounts appropriated.

The comparisons made here are not unfair. Efforts will undoubtedly be made hereafter by the Administration to create a belief that some erroneous basis of comparison has been used. It will only be for the purpose of diverting attention from the real situation and to allay the alarm that will be aroused by this startling revelation.

The country is at peace. No dangers threaten us from aggressive foreign foes; there is no menace to our peace and security from revolution or domestic disturbance. These stupendous expenditures, which stagger credulity, are unjustifiable and indefensible. They result in the piling high of burdens which will oppress the people for many years. If any compensating benefit at all commensurate with the expenditures could be shown, we should gladly applaud rather than condemn.

A painstaking study and analysis of the appropriations and a conscientious consideration of all the facts have brought us to the reluctant conclusion that for vainglorious display, to magnify unduly the military branch of the Government, for the encroachment upon rights reserved to the several States by the people, for the surreptitious extension of the powers of the Federal Government to fields never contemplated by the founders, and which, if persistently invaded, will prove destructive of our entire governmental structure, money has been lavishly, unnecessarily, injudiciously, and coercively appropriated with slight resulting compensation to the people.

The four fiscal years ending 1897 were the last during which the Democratic party controlled the Government. The following statement gives the appropriations for the Army and Navy and for fortifications and the per capita appropriations for the four-year period:

Appropriations for the Army, second Cleveland Administration.

FISCAL YEARS 1894-1897.	
1894	\$24,225,639.78
1895	23,592,884.63
1896	23,252,608.09
1897	23,278,402.73
Total	94,349,535.28

Estimated average population for the four years	69,603,000
Appropriations per capita for the four-year period	\$1.35

Appropriations for the Navy, second Cleveland Administration.

FISCAL YEARS 1894-1897.	
1894	\$22,104,061.38
1895	25,327,126.72
1896	29,416,245.31
1897	30,562,660.95
Total	107,410,094.36

Estimated average population for the four years	69,603,000
Appropriation per capita for the four-year period	\$1.54

Appropriations for fortifications—Second Cleveland Administration.

FISCAL YEARS 1894-1897.	
1894	\$2,210,055.00
1895	2,427,004.00
1896	1,904,557.50
1897	7,377,888.00
Total	13,919,504.50

Estimated average population for the four years	69,603,000
Appropriations per capita for the four-year period	\$0.20

Appropriations for the Army, Navy, and fortifications—Second Cleveland Administration.

FISCAL YEARS 1894-1897.	
Army	\$94,349,535.28
Navy	107,410,094.36
Fortifications	13,919,504.50
Total	215,679,134.14

Estimated average population for the four years	69,603,000
Appropriations per capita for the four-year period	\$3.09

The total appropriations and the per capita appropriations for the same services for the fiscal years 1906-1909, the second four years of President Roosevelt's Administration, are also given herewith.

Second Roosevelt Administration—Fiscal years 1906-1909.

APPROPRIATIONS FOR THE ARMY.	
1906	\$70,396,631.64
1907	71,817,165.08
1908	78,634,582.75
1909	95,382,247.61
Total	316,230,627.08

Estimated average population for the four years	86,271,579
Appropriations per capita for the four-year period	\$3.66

APPROPRIATIONS FOR THE NAVY.	
1906	\$100,336,679.94
1907	102,091,670.27
1908	98,958,507.50
1909	122,662,485.47
Total	424,049,343.18

Estimated average population for the four years	86,271,579
Appropriations per capita for the four-year period	\$4.91

APPROPRIATIONS FOR FORTIFICATIONS.	
1906	\$6,747,893.00
1907	5,053,993.00
1908	6,898,011.00
1909	9,317,145.00
Total	28,017,042.00

Estimated average population for the four years	86,271,579
Appropriations per capita for the four-year period	\$0.32

Second Roosevelt Administration, fiscal years 1906-1909.

APPROPRIATIONS FOR THE ARMY, NAVY, AND FORTIFICATIONS.	
Army	\$316,230,627.08
Navy	424,049,343.18
Fortifications	28,017,042.00
Total	768,297,012.26

Estimated average population for the four years	86,271,579
Appropriations per capita for the four-year period	\$8.90

Under Cleveland the per capita appropriations for the Army for four years were \$1.35; for the Navy, \$1.54; for fortifications, 20 cents; the average per capita for the four years for such service, \$3.90.

Under Roosevelt, in his second Administration, the per capita appropriations for the Army for the four-year period are \$3.66, more than two and one-half times the amount under Cleveland; for the Navy, \$4.91, more than three times the amount under Cleveland; for fortifications, 32 cents, more than 50 per cent increase over Cleveland, and the average per capita cost for the three services under Roosevelt is \$8.90, two and one-fourth times as great as under Cleveland.

The appropriations for the Army for the next fiscal year are \$16,747,664.86 more than for the present fiscal year. It has already been pointed out by the gentleman from Virginia [Mr. HAY] that \$3,000,000 additional will be required next year to meet the demands of the service, so that in reality the Army, without the addition of a single man, will cost at least \$19,747,664.86 more next year than during this year.

The appropriations for the Navy for next year are \$23,703,977.97 more than for the present year. So that in a time of profound peace our military establishments will cost, including the \$2,419,134 additional for fortifications, \$45,870,776.83 more next year than for the current year. This increase in one year is practically the total amount appropriated in 1894 to maintain the Army and Navy, to wit, \$46,329,701.16.

In other words the entire expenditure for the Army and Navy only fourteen years ago is equaled now by the increase in a single year.

In 1907 the expenditures for the British army were \$121,232,201.15, and an army at least two and one-half times as large as our Army was maintained.

In 1907 the expenditures for the French army were \$138,707,340.23; for the German army, \$176,842,187.20.

For the British navy the expenditures were \$149,364,556.75; for the French navy, \$62,732,182.88; for the German navy, \$63,165,747.40.

These nations have repeatedly been pictured to the people of this country as staggering under the burdens of militarism. It has been our boast that this free land has not been so afflicted, yet our expenditures for the two military services for the next year will be practically the same as those made by the great military nations of Europe.

The gross receipts of the United States for 1907 were \$846,725,329.62; of Great Britain, \$704,737,686.26; of Germany, \$617,941,200.80; of France, \$715,883,610.08.

Evidently the receipts of these four governments are very much alike, and the expenditures for maintenance of military establishments not widely different.

In a report prepared by the Census Bureau for the Committee on Appropriations this statement is made:

In the fiscal year ending June 30, 1907, the per capita expenditures of the United States National Government were 6.65 times as great as was the average of such expenditures during the six years of Washington's administration for which complete reports are available. National expenditures have increased in one hundred and eleven years that much faster than the population. This increase is attracting the attention of statesmen, newspaper writers, and students of public affairs.

It may be that the increasing expenditures of the Federal Government are attracting the attention of the persons mentioned in this excerpt. Evidently, however, it has completely escaped the attention of every responsible official of the administration of Theodore Roosevelt. [Applause on the Democratic side.] Surely these significant facts have not permeated the recesses of the White House nor found even a temporary lodgment in the active brain of the President. No other conclusion can satisfactorily be reached; for upon no other theory is it conceivable that the Administration would have submitted estimates, as has been repeatedly pointed out during the session, at least \$128,000,000 in excess of the revenues estimated for the coming fiscal year. Since these estimates were submitted to Congress the country has been afflicted with a panic. The business and industrial depression is growing rather than lessening. Yet in the plethora of messages to the Congress from the Chief Executive there has not been a single warning to safeguard the interests of the people by resolutely repelling all attempts to raid the Treasury. Indeed, when the history of this session is impartially and truthfully written, as it will be some day, the wielder of the "big stick" will be pictured in heroic size at the head of those who, openly encouraged or secretly abetted by him, have successfully rifled the people's strong box. [Applause on the Democratic side.]

How are these extraordinary authorizations to be met? If the Treasury were overflowing and money unnecessarily taken

from the people through various forms of taxation were being withheld from the channels of trade, it might be sufficient excuse for some to make lavish appropriations. Or if the party in power adopted the policy of the tyrants of old and expended enormous sums upon public works to keep the unemployed from awakening to the truth of the country's position, such reasons might be urged in defense of these appropriations.

But of the total of \$1,008,804,894.57 appropriated at this session not a single dollar is to be spent on new projects for the improvement of water routes and harbors and but \$30,000,000 is for newly authorized public buildings.

From the daily statement of the Treasury Department for May 23, 1908, it appears that the excess of expenditures over receipts for the fiscal year to and including that day was \$61,421,301.82.

For the same period last year the receipts exceeded the expenditures \$61,197,210.71; on that day last year a surplus of \$61,197,210.71; on the same day this year a deficit of \$61,421,301.82.

The change is due to the falling off in receipts as well as to increased expenditures.

On May 23, 1908, the receipts for the year, exclusive of postal receipts, were \$537,422,410.67; for the corresponding period in 1907, \$588,788,118.73, a falling off from last year in receipts of \$51,365,708.06.

Up to May 23, this year, the expenditures for the year, excluding postal deficit, were \$598,843,712.49; up to May 23, 1907, \$527,580,908.02, an increase of expenditures this year thus far of \$71,262,804.47.

The total receipts for the fiscal year 1907 were \$846,725,329.62.

The estimate of receipts for the present fiscal year after the panic had started was \$844,025,581.10.

On May 23, the receipts this year were \$51,365,708.06 less than last year. I pointed out on January 13 of this year that the deficit at that time was \$11,295,846.93. Since then, in four months, the deficit has increased \$40,069,861.13, an average increase of \$10,000,000 a month.

At the end of the present fiscal year the falling off in revenues from last year will be at least \$61,000,000, so that our receipts for this year, instead of being \$844,000,000, as estimated by the Secretary of the Treasury, will be about \$785,000,000.

The appropriations for the same period this fiscal year are \$920,798,143. So that the deficit for the present fiscal year will be at least \$135,000,000. If the amount appropriated for sinking fund requirements, \$57,000,000, be deducted on the theory that nothing will be used under present conditions for the reduction of the public debt, it will still leave a deficit at the end of the fiscal year of \$78,000,000.

With such a deficiency for the present fiscal year, what is the outlook for the next fiscal year?

Appropriations, \$1,008,804,894.57; receipts estimated before the panic, \$878,123,011.30.

For the present fiscal year the receipts will fall \$61,000,000 below the estimate. The industrial situation is not improving; the approach of a national election will not be a stimulant to business; the promise of revision of the tariff by its friends will tend further to accentuate a constantly growing industrial depression.

I might say as an aside that the character of the revision to be had from the friends of the present tariff was indicated when the Speaker appointed the gentleman from Indiana [Mr. CRUMPACKER] a member of the Committee on Ways and Means, and it was then disclosed that in his district the United States steel trust had just finished building the largest steel plant in the entire world. [Applause on the Democratic side.]

The condition of business is reflected in the values of our imports and exports.

In April, 1906, our imports free of duty were \$46,813,205; in 1907, \$58,245,910; in 1908, \$36,624,158. Our dutiable imports were, in April, 1906, \$60,504,876; in 1907, \$71,308,165; in 1908, \$50,857,100.

The total imports dutiable and free of duty were: April, 1906, \$107,318,081; 1907, \$129,554,075; 1908, \$87,481,258.

The value of the imports for ten months ending in April of the years 1906, 1907, and 1908 is as follows:

Imports.	Ten months ending April—			Decrease, ten months, 1907 and 1908.
	1906.	1907.	1908.	
Free of duty.....	\$458,292,484	\$541,318,486	\$446,506,767	\$84,811,719
Dutiable.....	562,580,694	654,080,618	571,838,973	82,241,645
Total.....	1,020,873,178	1,195,399,104	1,018,345,740	177,053,364

A decrease in this year of imports valued at \$177,053,364.

From 1904 to 1907, and further back, if I remember accurately, to 1893, our exports have invariably been greater in value in March than in February. This year there was a perceptible falling off in the month of March, while the falling off in April exports is much more marked this year than in former years, as appears from the following figures:

Exports of merchandise.

	1903.	1904.	1905.	1906.	1907.	1908.
	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>
January.....	133,992,269	142,045,170	123,597,339	170,603,053	189,296,944	208,114,718
February.....	125,586,024	118,800,282	106,870,782	141,766,558	159,517,221	167,757,032
March.....	132,093,964	119,888,449	136,978,429	145,510,707	161,685,228	141,558,149
April.....	109,827,215	109,889,405	128,575,374	144,380,040	157,431,781	133,470,333

Under these circumstances it seems apparent that the country will be fortunate indeed should its receipts in the next fiscal year aggregate \$785,000,000, the probable receipts for the present year.

An impartial review of all these facts establish firmly the conviction that the repeated warnings of the gentleman from Minnesota [Mr. TAWNEY], that there will be a deficit of \$150,000,000 in the coming fiscal year, is conservative rather than extravagant.

There may be some others, like the gentleman from Illinois [Mr. BOUTELL], complacently resting in the assurance that the Treasury is in possession of more than \$1,000,000,000 in gold. If so, they live in a fool's paradise.

We listened with much interest to the happy speech of the gentleman from Illinois [Mr. BOUTELL] a few months since when he congratulated the country upon the accumulation in the Treasury of \$1,000,000,000 in gold. It reminded us of the individual who had purchased \$100,000 of real estate and given a mortgage of \$95,000 as part of the purchase price and then boasted that his real estate holdings amounted to \$100,000. [Applause on the Democratic side.]

On May 23, 1908, there was in the Treasury \$1,030,000,000 in gold. Of this \$150,000,000 was in the Division of Redemption as a reserve fund, pledged to guarantee the maintenance at parity of all the demand obligations of the United States. The necessity to disburse a single dollar of this \$150,000,000 would unsettle business and disturb financial affairs throughout the civilized world. Eight hundred and thirty-seven million two hundred and twenty-nine thousand eight hundred and sixty-nine dollars of this gold was held against outstanding gold certificates. Actually in circulation in a form more convenient than the metal itself, this gold could not be touched except to take up the outstanding certificates when presented.

Of the \$1,030,000,000 in gold coin and bullion in the Treasury, just \$43,989,034 was in the general fund and available for the necessities of the Government. It is part of the cash available on May 23, 1908, amounting to \$239,651,025.37. Twelve million dollars of this sum will be required to meet the demands in excess of the receipts for the balance of this fiscal year, so that for the \$223,804,894.57 appropriated for the next fiscal year in excess of the probable revenues, there will be \$227,000,000 in the Treasury. Apparently a surplus, but not so actually, for at least \$3,000,000 additional will be required for the War Department. There has never failed to be unforeseen emergencies requiring moneys additional to the regular appropriations. Moreover, in appropriating for the continuance of river and harbor improvements and of work on public buildings now in progress, and for many other required services, those amounts only were appropriated that would be required to carry the various works and services to the 4th of March, 1909. For the money required during the other four months of the next fiscal year Congress will appropriate at the next session after the coming election. [Applause on the Democratic side.] The apparent margin of \$4,000,000 will quickly be wiped out, and there will be insufficient funds to meet the requirements of the public service.

The gentleman from Minnesota [Mr. TAWNEY] does not prophesy idly when he warns his associates, as he has on several occasions during the past few months, that within the next fiscal year it will be necessary to issue either certificates of indebtedness or bonds to obtain the money to pay the current expenses of the Government.

It would appear as if the Republicans were preparing to repeat their conduct in the closing months of the Harrison Administration [applause on the Democratic side] of preparing the plates, as was done by Secretary Foster, for the printing of bonds for use by a Democratic Administration because of Republican folly. [Applause on the Democratic side.]

Mr. Speaker, in striking contrast with the management of the nation's finances by the Republican party is the situation in Great Britain to-day. On the 7th of this month the budget was presented to the House of Commons by the premier, Mr. Asquith, acting for the chancellor of the exchequer. A perusal of his speech would be of incalculable benefit to every Member of this House. Whatever opinions may be entertained of the British system of government, the conduct of its finances can not do other than elicit admiration.

Mr. Asquith pointed out that in presenting the budget a year previously he had estimated the revenues for the fiscal year ending March 31, 1908, at about \$765,000,000 and provided for the expenditure of \$762,510,000. The revenue had actually been \$782,690,000, \$17,000,000 in excess of his estimate, and the actual expenditures \$759,060,000, about \$3,000,000 less than provided. As a result at the end of the year there was a surplus of receipts over expenditures of \$20,000,000 and the public debt had been reduced \$85,000,000. Highly impressive when contrasted with the labors of the Republican party, which produces a deficit this year of \$78,000,000, and then in the face of falling revenues is asked by the executive officials to appropriate at least \$128,000,000 more than the estimated revenues and actually appropriates \$223,000,000 more than the reasonably anticipated revenues for which the gentleman from Minnesota [Mr. TAWNEY] puts the blame on a Democratic filibuster at this time! [Applause and laughter on the Democratic side.]

The estimated revenues of the British Government for the next fiscal year, as pointed out by Mr. Asquith, are \$788,850,000; the expenditures provided aggregate \$764,345,000, a surplus of about \$25,000,000. With this surplus revenue it is proposed to remove certain annoying stamp taxes, to initiate a system of old-age pensions, to reduce the tax on sugar 1 farthing a pound, with a consequent loss of revenue of \$17,000,000, so as to afford some relief to the masses from the burdens of taxation, and still have a surplus of receipts over expenditures available for unforeseen contingencies.

With estimated revenues practically identical with our probable revenues—Great Britain, \$788,850,000; United States, \$785,000,000—Great Britain will support an army three and one-half times as large as our Army, and a navy, estimating by the number of men, about three times as large as our Navy; will initiate a system of old-age pensions, will apply about \$75,000,000 to the reduction of its debt, will reduce substantially the tax upon sugar, a universally used foodstuff, and still have a surplus of receipts available for contingencies, while the United States proposes to expend \$223,000,000 in excess of its probable revenues, with military establishments only one-third as large as Great Britain, and without relieving the people from a single dollar of taxation.

It is little to be wondered that the British premier exultantly declared that—

When people talk about the demands of democracy, I may be allowed to say that there is not a more creditable chapter in the annals of democratic finances than that which records the fact that during three years, with a passionate desire for diminution of expenditure and for the mitigation of popular burdens, there has been the application of the enormous sum of between thirteen and fifteen millions (sterling) a year out of taxation to redeem the principal of our national debt.

Mr. Speaker, while I have not as much admiration for the British Government as for our own, I can not withhold my admiration for the manner in which their finances are conducted, particularly when contrasted with the Republican party's administration of this Government.

Within the last few days there seems to have been an awakening on the Republican side of the House. Feeble protests have been made against the extent of appropriations and some complaint against the Senate for presuming to add to the appropriation bills as passed by the House.

Mr. Speaker, with the exception of the gentleman from Minnesota [Mr. TAWNEY], there has not been a single Republican in this House with sufficient influence to be considered an important factor in the deliberations of this body who has, prior to this week, raised his voice in protest against the unjustifiable extravagance of the House and of Congress. [Applause on the Democratic side.]

There are so many so-called "leaders" upon the Republican side who might have aided in keeping the appropriations within reasonable limits had they used their influence to do so. Instead, they have either sat silently in their seats or openly aided efforts of others to increase the committee's recommendations. It is too late now to cry "wolf." It is too late to cry "Democratic filibuster" when the Republican leaders deliberately permitted the Committee on Appropriations, with its great chairman, to be overruled—I care not why—and then have him forced to come in and instead of denouncing his own party associates for their lack of loyalty and support hide behind

the Democratic filibuster. [Applause on the Democratic side.] There is a large majority upon that side of the House, and they should have stood solidly behind him. If they had, it would have been impossible to squander the public money, as has been done in this session. It is preposterous to attempt to lay the entire blame upon a Republican Senate. The Republican party is in complete control of the Government. Its leaders in this House have repeatedly announced that the Republican party had ample power to legislate in its own way and its own time; that it was prepared to accept responsibility for what would be done at this session and what would be left undone. Accept the responsibility. Justify the extravagance of this session. Explain the benefits to accrue to the people from your reckless appropriations. Demonstrate the wisdom of appropriating \$223,000,000 more than the probable receipts of the Government; of increasing the appropriations for the military establishments in a time of profound peace and with no annoying complications \$45,870,776.83 over those of the current year; defend the stupendous aggregate of your appropriations—\$1,008,804,894.57—and point out the resulting compensations to the people.

This is a Government by party. The Republican party is responsible for the results of this session. Responsibility can not be shifted from the House to the Senate nor from the Congress to the Executive. The Republican party is in control of all these and is called upon to answer for its actions. The Democracy is willing to submit the issue to the intelligence of the American people and to abide the result of their judgment. [Loud applause on the Democratic side.]

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The question was taken.

Mr. WILLIAMS. I demand the yeas and nays.

The yeas and nays were ordered.

Mr. TAWNEY. I make the point of no quorum.

The SPEAKER pro tempore. The Chair sustains the point. Evidently there is no quorum. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absentees; the question will be taken on agreeing to the conference report, and the Clerk will call the roll.

The question was taken, and there were—yeas 189, nays 1, answered "present" 17, not voting 180, as follows:

YEAS—189.

Adair	Dawson	Howell, N. J.	Parker, S. Dak.
Adamson	De Armond	Howell, Utah	Payne
Alexander, Mo.	Dixon	Howland	Pearre
Alexander, N. Y.	Driscoll	Hubbard, W. Va.	Pollard
Andrus	Dwight	Hughes, N. J.	Porter
Ansberry	Edwards, Ky.	Hull, Tenn.	Pou
Barchfield	Ellerbe	Humphrey, Wash.	Pray
Barclay	Ellis, Mo.	Humphreys, Miss.	Rainey
Bartholdt	Ellis, Oreg.	Johnson, Ky.	Randell, Tex.
Bartlett, Nev.	Esch	Jones, Wash.	Rauch
Beale, Pa.	Fassett	Kahn	Reeder
Beall, Tex.	Ferris	Keifer	Reynolds
Bede	Finley	Keliber	Roberts
Bell, Ga.	Fitzgerald	Kennedy, Iowa	Rodenberg
Bennett, Ky.	Floyd	Kennedy, Ohio	Rothermel
Bonyne	Focht	Kinkaid	Russell, Mo.
Booher	Fordney	Knapp	Ryan
Boutell	Foster, Ind.	Landis	Scott
Bowers	Fowler	Laning	Sims
Boyd	French	Lindbergh	Smith, Cal.
Broussard	Fulton	Lloyd	Smith, Iowa
Burke	Gardner, N. J.	Loudenslager	Smith, Mich.
Burleigh	Garner	Loving	Smith, Mo.
Burleson	Garrett	Lowden	Snapp
Burnett	Gillespie	McCreary	Sparkman
Burton, Del.	Godwin	McHenry	Spight
Burton, Ohio	Gordon	McKinley, Ill.	Stevens, Tex.
Butler	Goulden	McKinney	Stevens, Minn.
Calderhead	Graff	McLain	Tawney
Caldwell	Graham	McLaughlin, Mich.	Taylor, Ohio
Campbell	Granger	Macon	Thistlewood
Candler	Hackett	Madison	Thomas, N. C.
Capron	Hackney	Mann	Tirrell
Carter	Haggott	Maynard	Tou Velle
Chapman	Hale	Mondell	Volstead
Clark, Fla.	Hamill	Moore, Tenn.	Waldo
Clark, Mo.	Hamlin	Moore, Tex.	Wanger
Clayton	Hammond	Murdock	Weeks
Cocks, N. Y.	Harding	Murphy	Weems
Cole	Hardy	Needham	Wheeler
Cook, Colo.	Haugen	Nicholls	Wilson, Ill.
Cox, Ind.	Hawley	Norris	Wilson, Pa.
Craig	Hayes	Nye	Wood
Crumpacker	Henry, Tex.	O'Connell	Woodyard
Cushman	Hill, Conn.	Olcott	Young
Dalzell	Hitchcock	Olsted	
Darragh	Holliday	Page	
Davenport	Houston	Parker, N. J.	

NAYS—1.

Williams

ANSWERED "PRESENT"—17.

Bannon	Foster, Ill.	Richardson	Watkins
Bennet, N. Y.	Gilham	Russell, Tex.	Webb
Brundidge	Henry, Conn.	Sabath	
Cary	Hepburn	Sheppard	
Caulfield	Lever	Washburn	

NOT VOTING—180.

Acheson	Favrot	Kipp	Padgett
Aiken	Flood	Kitchin, Claude	Parsons
Allen	Fornes	Kitchin, Wm. W.	Patterson
Ames	Foss	Knopf	Perkins
Anthony	Foster, Vt.	Knowland	Peters
Ashbrook	Foulkrod	Kuftermann	Powers
Bartlett, Ga.	Fuller	Lafean	Pratt
Bates	Gaines, Tenn.	Lamar, Fla.	Prince
Bingham	Gaines, W. Va.	Lamar, Mo.	Pujo
Birdsall	Gardner, Mass.	Lamb	Ransdell, La.
Bradley	Gardner, Mich.	Langley	Reid
Brantley	Gill	Lassiter	Rhinock
Brodhead	Gillett	Law	Riordan
Brownlow	Glass	Lawrence	Robinson
Brumm	Goebel	Leake	Rucker
Burgess	Goldfogle	Lee	Saunders
Byrd	Greene	Legare	Shackleford
Calder	Gregg	Lenahan	Sherley
Carlin	Griggs	Lewis	Sherman
Chaney	Gronna	Lilley	Sherwood
Cockran	Hall	Lindsay	Slayden
Conner	Hamilton, Iowa	Littlefield	Slomp
Cook, Pa.	Hamilton, Mich.	Livingston	Small
Cooper, Pa.	Hardwick	Longworth	Smith, Tex.
Cooper, Tex.	Harrison	Lorimer	Southwick
Cooper, Wis.	Haskins	Loud	Sperry
Coudrey	Hay	McCall	Stafford
Cousins	Healin	McDermott	Stanley
Cravens	Helm	McGavin	Steenerson
Crawford	Higgins	McGuire	Sterling
Currier	Hill, Miss.	McKinlay, Cal.	Sturgiss
Davey, La.	Hinshaw	McLachlan, Cal.	Sulloway
Davidson	Hobson	McMillan	Sulzer
Davis, Minn.	Howard	McMorran	Talbott
Dawes	Hubbard, Iowa	Madden	Taylor, Ala.
Denby	Huff	Malby	Thomas, Ohio
Denver	Hughes, W. Va.	Marshall	Townsend
Diekema	Hull, Iowa	Miller	Underwood
Douglas	Jackson	Moon, Pa.	Vreeland
Draper	James, Addison D.	Moore, Pa.	Wallace
Dunwell	James, Ollie M.	Morse	Watson
Durey	Jenkins	Mouser	Weisse
Edwards, Ga.	Johnson, S. C.	Mudd	Wiley
Englebright	Jones, Va.	Nelson	Willett
Fairchild	Kimball	Overstreet	Wolf

So the conference report was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. CAULFIELD with Mr. PATTERSON.

Until further notice:

Mr. STERLING with Mr. BYRD.

Mr. HEPBURN with Mr. RICHARDSON.

Mr. GILHAMS with Mr. HEFLIN.

The result of the vote was announced as above recorded.

The doors were opened.

ADJOURNMENT SINE DIE.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for the consideration and adoption of the following resolutions, which I send to the Clerk's desk.

The SPEAKER. The gentleman from New York asks unanimous consent for the consideration and adoption of the resolutions which the Clerk will report.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the calendar day 30th of May, 1908, at 11 o'clock and 50 minutes p. m.

Resolved, That a committee of three Members be appointed by the Chair to join a similar committee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn unless the President has some other communication to make to them.

Mr. WILLIAMS. Mr. Speaker, to save the time of the House, I shall object.

The SPEAKER. The gentleman from Mississippi objects.

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and adopt the resolutions.

The SPEAKER. The gentleman from New York moves to suspend the rules and agree to the resolution. Is a second demanded?

Mr. WILLIAMS. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Mississippi demands a second. Under the rule, a second is ordered. The gentleman from New York is entitled to twenty minutes and the gentleman from Mississippi to twenty minutes.

Mr. PAYNE. Mr. Speaker, the resolutions are so plain I think the House can understand them without any further explanation. I reserve the balance of my time. [Applause.]

Mr. WILLIAMS. Mr. Speaker, I find the speech just made by the gentleman from New York no more difficult to answer than his usual speeches. I reserve the balance of my time. [Applause on the Democratic side.]

Mr. PAYNE. You mean by that that it is unanswerable?

Mr. CANDLER. Mr. Speaker, would it be in order to sing for the twenty minutes?

The SPEAKER. Better sing afterwards.

The question was taken and the Speaker announced that the "ayes" seemed to have it.

Mr. WILLIAMS. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Mississippi demands the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 127, nays 76, answered "present" 14, not voting 170, as follows:

YEAS—127.

Adair	Edwards, Ky.	Keller	Pray
Alexander, N. Y.	Ellis, Mo.	Kennedy, Iowa	Pujo
Andrus	Ellis, Oreg.	Kennedy, Ohio	Reynolds
Barchfeld	Esch	Kinkaid	Roberts
Barchley	Fassett	Knapp	Rodenberg
Bartholdt	Focht	Lanig	Rothermel
Beale, Pa.	Fordney	Law	Scott
Bede	Foster, Ind.	Lovering	Slayden
Bonyng	Fowler	Lowden	Smith, Cal.
Boutell	French	McCreary	Smith, Iowa
Boyd	Gardner, N. J.	McKinley, Ill.	Smith, Mich.
Burke	Gilham	McKinley	Snapp
Burleigh	Goulden	McLaughlin, Mich.	Southwick
Burton, Del.	Graft	Madison	Stevens, Minn.
Burton, Ohio	Graham	Mann	Sturgiss
Butler	Haggott	Mondell	Tawney
Calderhead	Hale	Moon, Tenn.	Taylor, Ohio
Campbell	Hamilton, Mich.	Morse	Thistlewood
Capron	Harding	Murdoch	Tirrell
Caulfield	Haugen	Murphy	Volstead
Chapman	Hawley	Needham	Vreeland
Cocks, N. Y.	Hayes	Norris	Waldo
Cole	Hepburn	Nye	Wanger
Cook, Colo.	Hill, Conn.	O'Connell	Washburn
Crumacker	Holliday	Olcott	Weeks
Cushman	Howell, N. J.	Olmsted	Weems
Dalzell	Howell, Utah	Parker, N. J.	Wheeler
Darragh	Hubbard, W. Va.	Parker, S. Dak.	Wilson, Ill.
Davis, Minn.	Hubbrey, Wash.	Pearre	Wood
Dawson	Jones, Wash.	Pollard	Woodyard
Driscoll	Kahn	Porter	Young
Dwight			

NAYS—76.

Adamson	Cox, Ind.	Hamlin	Page
Alexander, Mo.	Craig	Hardy	Pou
Ansberry	Davenport	Hay	Pratt
Bartlett, Nev.	De Armond	Heflin	Randell, Tex.
Beall, Tex.	Ellerbe	Henry, Tex.	Rauch
Bell, Ga.	Ferris	Hitchcock	Richardson
Boober	Finley	Houston	Rucker
Bowers	Fitzgerald	Hughes, N. J.	Russell, Mo.
Broussard	Floyd	Hull, Tenn.	Ryan
Burgess	Fulton	Humphreys, Miss.	Sabath
Burnett	Garner	Johnson, Ky.	Sims
Caldwell	Garrett	Keliber	Smith, Mo.
Candler	Godwin	Lloyd	Stephens, Tex.
Carlin	Godwin	McHenry	Thomas, N. C.
Carter	Gordon	McLain	Tou Velle
Clark, Fla.	Granger	Macon	Watkins
Clark, Mo.	Hackett	Maynard	Webb
Clayton	Hackney	Moore, Tex.	Williams
Cooper, Tex.	Hamill	Nichols	Wilson, Pa.

ANSWERED "PRESENT"—14.

Bannon	Flood	Kimball	Russell, Tex.
Bennet, N. Y.	Foster, Ill.	Lever	Sheppard
Cary	Hammond	Loudenslager	
Dixon	Henry, Conn.	Padgett	

NOT VOTING—170.

Acheson	Fairchild	Kitchin, Wm. W.	Parsons
Alken	Favrot	Knopf	Patterson
Allen	Fornes	Knowland	Perkins
Ames	Foss	Kuftermann	Peters
Anthony	Foster, Vt.	Lafan	Powers
Ashbrook	Foulkrod	Lamar, Fla.	Prince
Bartlett, Ga.	Fuller	Lamar, Mo.	Rainey
Bates	Gaines, Tenn.	Lamb	Ransdell, La.
Bennett, Ky.	Gaines, W. Va.	Landis	Reeder
Bingham	Gardner, Mass.	Langley	Rhinoek
Birdsall	Gardner, Mich.	Lassiter	Riordan
Bradley	Gill	Lawrence	Robinson
Brantley	Gillett	Leake	Saunders
Broadhead	Glass	Lee	Shackelford
Brownlow	Goebel	Legare	Sherley
Brumm	Goldfogle	Lenahan	Sherman
Brundidge	Greene	Lewis	Sherwood
Burleson	Gregg	Lilley	Slomp
Byrd	Griggs	Lindbergh	Small
Calder	Gronna	Lindsay	Smith, Tex.
Chaney	Hall	Littlefield	Sparkman
Cockran	Hamilton, Iowa	Livingston	Sperry
Conner	Hardwick	Longworth	Splight
Cook, Pa.	Harrison	Lorimer	Stafford
Cooper, Pa.	Haskins	Loud	Stanley
Cooper, Wis.	Helm	McCall	Steenerson
Coudrey	Higgins	McDermott	Sterling
Cousins	Hill, Miss.	McGavin	Sulloway
Cravens	Hinshaw	McGuire	Sulzer
Crawford	Hobson	McKinlay, Cal.	Talbot
Currier	Howard	McLachlan, Cal.	Taylor, Ala.
Davey, La.	Hubbard, Iowa	McMillan	Thomas, Ohio
Davidson	Huff	McMorrin	Townsend
Dawes	Hughes, W. Va.	Madden	Underwood
Denby	Hull, Iowa	Malby	Wallace
Denver	Jackson	Marshall	Watson
Dickema	James, Addison D.	Miller	Weisse
Douglas	James, Oille M.	Moon, Pa.	Wiley
Draper	Jenkins	Moore, Pa.	Willitt
Dunwell	Johnson, S. C.	Mouser	Wolf
Durey	Jones, Va.	Mudd	
Edwards, Ga.	Kipp	Nelson	
Englebright	Kitchin, Claude	Overstreet	

The Clerk announced the following additional pairs:

Until further notice:

Mr. CARY with Mr. RUSSELL of Texas.

Mr. HALL with Mr. HAMMOND.

The SPEAKER. Upon this vote the yeas are 127, nays 76, answered "present" 14—a quorum. The ayes have it, and the resolution is agreed to.

The Chair announces as a committee to wait upon the President, Representatives PAYNE, HEPBURN, and WILLIAMS.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 21844. An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

EMPLOYERS' LIABILITY BILL.

The SPEAKER. The Chair lays before the House from the Speaker's table the following bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment, with Senate amendments. The Clerk will report the amendments.

The Senate amendments were read.

Mr. ALEXANDER of New York. Mr. Speaker, I ask unanimous consent that the House concur in the Senate amendments to the bill H. R. 21844.

Mr. CLAYTON. I object to that, Mr. Speaker.

The SPEAKER. Objection is heard.

Mr. CLAYTON. Mr. Speaker, I demand a second.

Mr. ALEXANDER of New York. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments.

The SPEAKER. The gentleman from New York [Mr. ALEXANDER] moves to suspend the rules and concur in the Senate amendments.

Mr. CLAYTON. Upon that, Mr. Speaker, I demand a second.

The SPEAKER. Under the rules a second is ordered. The gentleman from New York [Mr. ALEXANDER] is entitled to twenty minutes and the gentleman from Alabama [Mr. CLAYTON] to twenty minutes.

Mr. ALEXANDER of New York. Mr. Speaker, I will take only a moment or two. Aside from a few verbal changes the Senate has made but four or five amendments that need explanation. One of these changes the time when the act shall take effect as to the right to receive compensation from July 1 to August 1, 1908. Another extends the benefits to Government employees engaged in fortification work and in hazardous employment on construction work in the reclamation of arid lands. Another withholds benefits unless the injury continues more than fifteen days. A fifth amendment strikes out section 6, which provides a penalty if anyone seeks to obtain benefits by fraudulent means. It is believed existing law is sufficient. The principle of the bill is in no wise modified.

Mr. TAWNEY. Will the gentleman from New York yield?

Mr. ALEXANDER of New York. Certainly.

Mr. TAWNEY. In case an enlisted man in the Army or the coast artillery, for example, is employed or injured while employed or engaged in any work connected with the construction of a fortification, would he be entitled to the benefits of this bill?

Mr. ALEXANDER of New York. Not under this bill. This compensates only the civil employee—the artisan or laborer. It is so named in the bill.

Mr. Speaker. I reserve the balance of my time.

Mr. TAWNEY. Suppose the enlisted man is detailed as a laborer in connection with fortification work, what then would be the construction placed upon the act?

Mr. ALEXANDER of New York. Such detail would not change the soldier's status. He would not become a civil employee. He would still be a soldier—an enlisted man.

Mr. TAWNEY. He would also be a civil employee, detailed for this particular civil service.

Mr. ALEXANDER of New York. But not for compensation under this bill. It refers to a civil employee—an artisan or laborer.

Mr. TAWNEY. If you propose going into the fortifications, you might as well take the rest of the Army.

Mr. ALEXANDER of New York. The bill applies simply to civil employees engaged in the construction of fortifications. Soldiers do not construct fortifications. Civil employees usually do that, and it is hazardous work; the same as river and harbor work and reclamation work.

Mr. Speaker. I reserve the balance of my time.

Mr. CLAYTON. Mr. Speaker, this bill, as it originally passed the House, came from the Committee on the Judiciary of the House with a unanimous report. I had the honor of serv-

ing with the gentleman from New York [Mr. ALEXANDER] on the subcommittee that reported this bill in its original form to the whole Committee on the Judiciary. This measure, or this kind of legislation, met with the approval not only of those who are in accord with me politically on that committee, but it met with the unanimous approval of those in accord with me on this side of the House.

We thought when we considered this bill in the committee, before we reported it to the House, that we had presented a good bill, but it appears from an examination of the report now made to the House that the Senate has suggested several amendments that do not affect the principle involved or the vitals of the bill, but they do improve some of its details.

Mr. Speaker, I shall mention the more important ones. In section 1 the word "thirty" was in the bill as it passed the House. That in case of incapacity for work lasting more than thirty days the injured party or his legal representative desiring to take the benefit of this act, and so forth, "fifteen" is substituted in lieu of "thirty." I think that is a distinct improvement.

Mr. ALEXANDER of New York. Mr. Speaker, will the gentleman yield?

Mr. CLAYTON. Certainly.

Mr. ALEXANDER of New York. That amendment was made because most of these employees are now allowed a sick leave of fifteen days. Their sick leave for fifteen days and their compensation for fifteen days would be equivalent to thirty days' compensation.

Mr. CLAYTON. I think that the reason assigned for the amendment is an excellent one, and I think there are other reasons for its adoption just as good.

Then coming, Mr. Speaker, to section 6 it says:

That to seek to obtain by fraudulent means or to accept benefits under this act, to which the person is not entitled, shall be deemed a misdemeanor on his part, and punishable by a fine of not more than \$1,000 or by imprisonment for not more than two years, or both.

That penalizing section is stricken out, and I do not think it ought to have been in the original measure, because this bill is so safeguarded that I can not conceive of any circumstances under which any claimant under the provisions of this bill can successfully put through a fraudulent claim for injuries received while in hazardous employment for the Government, and I believe it is an unnecessary reflection upon the skilled mechanics and the laborers of the Government engaged in hazardous employment. It is useless, and therefore it is well enough to strike it out. [Applause.]

In section 9 is stricken out the words "That this act shall only take effect as to the right to receive compensation for any damages from accidents as to those occurring on or after July 1, 1908." This section 9 is stricken out because it is not in harmony with section 1 of the bill as amended, in which we provide "That on or after August 1, 1908, any person employed by the United States as an artisan or laborer," and so forth, so that this latter section—section 9—is unnecessary and would be in conflict with section 1.

Now, Mr. Speaker, just a word in behalf of this sort of legislation. It is in accordance with the enlightened sentiment of the day; it is in accordance with humanity; it is in accordance with a just recognition of the perilous services of many of the artisans of the Government who are engaged in hazardous employments necessary for the carrying on successfully of the business of the Federal Government.

It is putting the Government employee simply upon the footing of the employee of the railroads or the employee of any corporation of the land. It is giving to him an equal footing with them, and this great Government can well afford to do this measure of justice to its employees engaged in these hazardous occupations. I trust, Mr. Speaker, and confidently believe, that this meritorious measure will pass this House in the closing hours of this session by unanimous consent. [Loud general applause.]

I am pleased to state that the first employees' compensation measure ever proposed here was introduced into this House by a Democrat from Illinois [Mr. SABATH] on February 3, and amended and reintroduced on February 10 as the bill H. R. 16739. It provides for compensation to all employees over which Congress has jurisdiction and to employees engaged in interstate and foreign commerce; but I have not time to go into the details of that bill. I may say, however, that the principle underlying the pending measure was first embodied in that bill.

I yield the balance of my time to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I believe in the main in the amendments which the Senate has made to the bill. The bill is distinctly improved by striking out section 6, against which I protested when it was being considered in the House, and

substituting fifteen days for thirty days in section 4 of the original bill. [Applause.] I would a little bit rather that the Senate amendment had not been made as to the time in which the bill should go into effect. As originally passed July 1 was the time, and now the time for it to go into effect is August 1, but the bill is rather improved in the Senate than hurt—an unusual thing.

Now, Mr. Speaker, this is one of the recommendations of the President of the United States adopted by this side of the House as part of an attempted Democratic programme. [Applause on the Democratic side.] There was no roll call upon the bill when it was originally passed, for that reason; and now that it comes back to us bettered there will, of course, be no roll call demanded by me nor by anybody on this side. [Applause.]

The question being taken, the rules were suspended and the Senate amendments were concurred in.

OMNIBUS TERRITORY BILL.

The SPEAKER. The Chair desires to say to the House that the so-called "omnibus Territory bill," reported from the House Committee on Territories, has passed the Senate with sundry amendments. As the Chair recollects, the bill is one of much importance, and the Chair is informed that a little later the bill will come from the Senate. If it is acted upon, a quorum will probably be required.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 45.

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the calendar day 30th of May, 1908, at 11 o'clock and 50 minutes past meridian.

Resolved, That a committee of three Members be appointed by the Chair to join a similar committee to be appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn unless the President has some other communication to make to them.

The message also announced that the Senate had also passed the following resolution:

Resolved, That a committee of two Senators be appointed by the Vice-President to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some other communication to make to them, and had appointed as said committee Mr. HALE and Mr. TELLER.

The message also announced that the Senate had passed, with amendment, bill of the following title, in which concurrence of the House of Representatives was requested:

H. R. 21957. An act relating to affairs in the Territories.

THE SPEAKER.

Mr. DWIGHT and Mr. COLE, bearing aloft a broom surmounted by a large portrait of the Speaker, marched down the aisle, followed by a large number of Members bearing American flags. Having arrived at the area in front of the desk, they sang the following:

Here's to dear old Uncle Joe,
One we love where'er we go;
He's the chief and gallant leader of us all.
North and South and East and West,
In the States we all love best,
We will sing and cheer for one the people know.

[Cheers.]

The SPEAKER. Gentlemen of the House, though it is somewhat out of order, yet by unanimous consent, the House having nothing else to do at this moment while awaiting messages from the Senate, I have not felt called upon to raise the question of order.

Gentlemen, only a word at this time, and that is to thank you for your expressions of good will, which are more prized by an old man of many years' service in this House than precious ointment. I would rather have the good will of the membership of the National House of Representatives, and to deserve it—notwithstanding the mistakes that I have made, and I have made my due share in the daily transaction of business—than to receive any tribute of praise from any other body on earth. [Applause.]

In the closing hours of a session, while the two Houses are interchanging final messages, there is in the House much of latitude, notwithstanding the rules.

Mr. BEDE. And also longitude. [Laughter.]

The SPEAKER. And longitude as well. And yet it is well enough for us to remember that the disorder should be of an orderly kind; and, with the greatest good feeling, the Chair would be glad if from now until the hour of final adjournment we would be as quiet as the disorder will let us be. [Laughter and applause.]

REPORT OF THE COMMITTEE TO WAIT ON THE PRESIDENT.

Messrs. PAYNE, HEPBURN, and WILLIAMS, the committee appointed to join a similar committee on the part of the Senate, to notify the President that the two Houses were ready to adjourn, appeared at the bar of the House.

Mr. PAYNE. Mr. Speaker, the committee appointed by the House to join a like committee on the part of the Senate and wait upon the President of the United States to inform him that the two Houses had completed their business and were ready to adjourn, report that they have performed that duty, and that the President says he has no further communication to make.

The SPEAKER. The gentleman from Rhode Island [Mr. CAPRON] will please take the chair.

Mr. CAPRON took the chair as Speaker pro tempore.

TRANSFERRING BOOKS FROM TREASURY DEPARTMENT TO LIFE-SAVING STATIONS.

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3495), to authorize the transfer of books from the Treasury Department library to life-saving stations of the United States, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to transfer, from time to time, from the Treasury Department library to the life-saving stations of the United States, such books as in his judgment may be no longer needed for use in said library.

The SPEAKER pro tempore (Mr. CAPRON). Is a second demanded?

Mr. HEFLIN. Mr. Speaker, I demand a second.

Mr. WILLIAMS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. The gentleman from Alabama demands a second. Under the rules, a second is ordered.

Mr. HEFLIN. Mr. Speaker, I will yield the demand to the gentleman from Mississippi [Mr. WILLIAMS], who also demanded a second.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Mississippi in opposition to the resolution. The gentleman from New York is entitled to twenty minutes and the gentleman from Mississippi to twenty minutes.

Mr. PAYNE. Mr. Speaker, this is a bill passed by the Senate. An identical House bill, as I am informed, has been recommended by the House and is now upon the Calendar. It is a bill which the Secretary of the Treasury is much interested in having passed for the good of the Life-Saving Service. It simply allows him to transfer from time to time such books from the Department's library as in his judgment are of use to the Life-Saving Service and of no further use in the Department. That is all there is in the bill, and if it is passed promptly it can become a law and give the men in the Life-Saving Service an opportunity to see books which they have not now at their disposal.

Mr. WILLIAMS. Do I understand the motion of the gentleman is to suspend the rules and pass the Senate bill?

Mr. PAYNE. Yes.

Mr. WILLIAMS. It becomes a law immediately upon its passage here.

Mr. PAYNE. Yes; when it is signed by the President.

Mr. WILLIAMS. Mr. Speaker, in that event, having ascertained what the nature of the bill is, in order to save the time of the House and get it to the President as soon as possible, I now demand the yeas and nays on the motion of the gentleman.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York to suspend the rules and pass the bill, and on that the gentleman from Mississippi demands the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 186, answered "present" 12, not voting 189, as follows:

YEAS—186.

Adair	Burton, Del.	Dalzell	Fulton
Adamson	Burton, Ohio	Darragh	Gaines, W. Va.
Aiken	Butler	Davenport	Gardner, N. J.
Alexander, Mo.	Calderhead	Davis, Minn.	Garner
Alexander, N. Y.	Caldwell	Dawson	Garrett
Ansberry	Campbell	De Armond	Gilhams
Barchfeld	Candler	Dixon	Gillespie
Barclay	Capron	Douglas	Glass
Bartholdt	Carlin	Driscoll	Godwin
Beale, Pa.	Carter	Dwight	Gordon
Beall, Tex.	Caulfield	Ellerbe	Goulden
Bede	Chapman	Ellis, Mo.	Graft
Bell, Ga.	Clark, Fla.	Ellis, Oreg.	Granger
Bonyne	Clark, Mo.	Esch	Gregg
Booher	Clayton	Fassett	Hackney
Boutell	Cocks, N. Y.	Finley	Haggott
Brodhead	Cole	Fitzgerald	Hale
Broussard	Cook, Colo.	Floyd	Hamill
Burgess	Cooper, Tex.	Focht	Hamilton, Mich.
Burke	Cox, Ind.	Fordney	Hamlin
Burleigh	Craig	Foster, Ind.	Hammond
Burleson	Crumpacker	Fowler	Harding
Burnett	Cushman	French	Hawley

Hay	Law	Olmsted	Southwick
Hayes	Lindbergh	Page	Sparkman
Healin	Lloyd	Parker, N. J.	Stevens, Tex.
Henry, Tex.	Lovering	Patterson	Stevens, Minn.
Hepburn	Lowden	Payne	Tawney
Hill, Conn.	McCreary	Pollard	Taylor, Ohio
Holliday	McHenry	Pray	Thistlewood
Houston	McKinley, Ill.	Pujo	Thomas, N. C.
Howell, N. J.	McKinney	Randell, Tex.	Tirrell
Howell, Utah	McLaughlin, Mich.	Rauch	Tou Velle
Howland	McMillan	Reeder	Volstead
Hubbard, W. Va.	Macon	Reynolds	Vreeland
Hughes, N. J.	Madison	Richardson	Waldo
Humphrey, Wash.	Mann	Roberts	Wanger
Humphreys, Miss.	Maynard	Rodenberg	Washburn
Jones, Wash.	Mondell	Rothermel	Watkins
Kahn	Moon, Tenn.	Russell, Mo.	Wheeler
Keifer	Murdock	Ryan	Williams
Keliber	Murphy	Sabath	Wilson, Ill.
Kennedy, Iowa	Needham	Scott	Wilson, Pa.
Kennedy, Ohio	Nicholls	Sims	Wood
Kinkaid	Nye	Smith, Cal.	Young
Langley	O'Connell	Smith, Iowa	
Lanling	Olcott	Smith, Mich.	

ANSWERED "PRESENT"—12.

Bannon
Bennet, N. Y.
Cary

Flood
Foster, Ill.
Henry, Conn.

Kimball
Lever
Loudenslager

Padgett
Russell, Tex.
Sheppard

NOT VOTING—189.

Acheson
Allen
Ames
Andrus
Anthony
Ashbrook
Bartlett, Ga.
Bartlett, Nev.
Bates
Bennett, Ky.
Bingham
Birdsall
Bowers
Boyd
Bradley
Brantley
Brownlow
Brumm
Brundidge
Byrd
Calder
Chaney
Cockran
Conner
Cook, Pa.
Cooper, Pa.
Cooper, Wis.
Coudrey
Cousins
Cravens
Crawford
Currier
Davey, La.
Davidson
Dawes
Denby
Denver
Diekema
Draper
Dunwell
Durey
Edwards, Ga.
Edwards, Ky.
Eglebright
Fairchild
Favrot
Ferris
Fornes

Foss
Foster, Vt.
Foulkrod
Fuller
Gaines, Tenn.
Gardner, Mass.
Gardner, Mich.
Gill
Gillett
Goebel
Goldfogle
Graham
Greene
Griggs
Gronna
Hackett
Hall
Hamilton, Iowa
Hardwick
Hardy
Harrison
Haskins
Haugen
Helm
Higgins
Hill, Miss.
Hinshaw
Hitchcock
Hobson
Howard
Hubbard, Iowa
Huff
Hughes, W. Va.
Hull, Iowa
Hull, Tenn.
Jackson
James, Addison D.
James, Oille M.
Jenkins
Johnson, Ky.
Johnson, S. C.
Jones, Va.
Kipp
Kitchin, Claude
Kitchin, Wm. W.
Knapp
Knopf
Knowland

Klistermann
Lafean
Lamar, Fla.
Lamar, Mo.
Lamb
Landis
Lassiter
Lawrence
Leake
Lee
Legare
Lenahan
Lewis
Lilley
Lindsay
Littlefield
Livingston
Longworth
Lorimer
Loud
McCall
McDermott
McGavin
McGuire
McKinlay, Cal.
McLachlan, Cal.
McLain
McMorran
Madden
Malby
Marshall
Miller
Moon, Pa.
Moore, Pa.
Moore, Tex.
Morse
Mouser
Mudd
Nelson
Norris
Overstreet
Parker, S. Dak.
Parsons
Pearre
Perkins
Peters
Porter
Pou

Powers
Pratt
Prince
Rainey
Ransdell, La.
Reid
Rhinoek
Riordan
Robinson
Rucker
Saunders
Shackleford
Sherley
Sherman
Sherwood
Slayden
Slomp
Small
Smith, Mo.
Smith, Tex.
Snapp
Sperry
Spight
Stafford
Stanley
Steenerson
Sterling
Sturgiss
Sulloway
Sulzer
Talbot
Taylor, Ala.
Thomas, Ohio
Townsend
Underwood
Wallace
Watson
Webb
Weeks
Weems
Weisse
Wiley
Willett
Wolf
Woodyard

So the motion was agreed to.

The Clerk announced the following additional pair:

For the balance of session:

Mr. KNAPP with Mr. SPIGHT.

The result of the vote was announced as above recorded.

ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 21946. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes.

H. R. 21844. An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 5581. An act pensioning the surviving officers and enlisted men of the Texas volunteers employed in the defense of the frontier of that State against Mexican marauders and Indian depredations from 1855 to 1860, inclusive.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 5818. An act ratifying an act of the Arizona legislature

providing for the erection of a court-house at St. Johns, in Apache County, Ariz.—to the Committee on the Territories.

S. 5820. An act ratifying an act of the legislative assembly of the Territory of Arizona providing for the erection of a court-house and jail at Yuma, in Yuma County, Territory of Arizona—to the Committee on the Territories.

S. 5816. An act ratifying chapters 57 and 61 of the session laws of the twenty-third Arizona legislative assembly, providing for the issuance of bonds by Mohave County to erect court-house and jail in said county—to the Committee on the Territories.

S. 6000. An act authorizing the St. Louis, Brownsville and Mexico Railway Company to construct bridges across the Rio Grande at some point at or near the town of Brownsville, in Cameron County, Tex.—to the Committee on Foreign Affairs.

S. 6540. An act to authorize the Copper River Railway Company to construct two bridges across the Copper River, in the District of Alaska—to the Committee on Interstate and Foreign Commerce.

S. 2934. An act permitting homestead entries upon certain lands in Whatcom County, Wash., being a portion of the Point Roberts Reserve—to the Committee on the Public Lands.

S. 6437. An act authorizing the construction of a bridge across the Okanogan River, Washington—to the Committee on Interstate and Foreign Commerce.

S. 6539. An act to authorize the Copper River and Northwestern Railway Company to construct a bridge across Bering Lake, in the district of Alaska—to the Committee on Interstate and Foreign Commerce.

S. 6930. An act to pay certain Cherokee citizens moneys to which they have been found entitled by the Supreme Court—to the Committee on Indian Affairs.

S. 7184. An act for the relief of citizens of the United States and the Philippine Islands—to the Committee on War Claims.

S. R. 93. Joint resolution to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of May, 1908, on the day of adjournment of the present session of Congress—to the Committee on Appropriations.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States for his approval the following bills:

H. R. 21897. An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes;

H. R. 21946. An act making appropriations to supply the deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes;

H. R. 21871. An act to amend the national banking laws;

H. R. 22212. An act granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Alleman;

H. J. Res. 197. Joint resolution authorizing the employment of clerical services in the Department of Justice; and

H. R. 21844. An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, the following concurrent resolution was taken from the Speaker's table and referred to its appropriate committee as indicated below:

Senate concurrent resolution 42.

Resolved by the Senate (the House of Representatives concurring). That for the purpose of ascertaining the practicability and cost of improving navigation on Coosa and Alabama rivers by means of storage reservoirs at, near, or above the sites selected for Locks and Dams Nos. 12, 14, and 15, by cooperation with the Alabama Power Company, or any other corporation duly organized under the laws of the State of Alabama, in the development of water power for industrial purposes, the Secretary of War is hereby authorized to cause a survey to be made of that portion of Coosa River above and below the sites selected for Locks and Dams Nos. 12, 14, and 15, and to submit to Congress as early as practicable a report giving the results of said survey, including plans and estimates of the whole cost of the work and the proportion thereof which should be borne by the United States; and that the cost of said survey shall be paid from funds heretofore appropriated for examinations, surveys, and contingencies of rivers and harbors.

—to the Committee on Rivers and Harbors.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3495. An act to authorize the transfer of books from the

Treasury Department library to life-saving stations of the United States.

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. LATTA, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

On May 26, 1908:

H. R. 20063. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1909, and for other purposes.

On May 27, 1908:

H. R. 15641. An act for the removal of restrictions from part of the lands of allottees of the Five Civilized Tribes, and for other purposes;

H. R. 21260. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1909, and for other purposes;

H. R. 18618. An act fixing the status of the Porto Rico Provisional Regiment of Infantry;

H. R. 19355. An act making appropriations for fortifications and other works of defense, for the armanent thereof, for the procurement of heavy ordnance for trial and service, and for other purposes;

H. R. 1991. An act granting pension and increase of pension to certain soldiers and sailors of the war with Spain and other wars, and to the widows of such soldiers and sailors;

H. R. 20120. An act to authorize the construction of a railroad siding to the United States navy-yard, and for other purposes;

H. R. 17506. An act to amend an act entitled "An act to simplify the laws in relation to the collection of the revenues," approved June 10, 1890, as amended by the act entitled "An act to provide revenues for the Government and to encourage the industries of the United States," approved July 24, 1897; and

H. R. 18347. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1909, and for other purposes.

On May 28, 1908:

H. J. Res. 186. Joint resolution relating to the assignment of space in the House Office Building;

H. R. 16268. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1909, and for other purposes;

H. R. 21815. An act to amend the laws relating to navigation, and for other purposes;

H. R. 22009. An act authorizing the Secretary of War to remove certain obstructions to navigation from the main ship channel, Key West Harbor, Florida, and for other purposes;

H. R. 21875. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1909, and for other purposes; and

H. R. 21410. An act granting condemned ordnance to certain institutions.

On May 29, 1908:

H. R. 21735. An act to authorize the Secretary of the Interior to issue patents in fee to purchasers of Indian lands under any law now existing or hereafter enacted, and for other purposes.

On May 30, 1908:

H. R. 16757. An act for the incorporation of the Brotherhood of St. Andrew;

H. R. 19795. An act to promote the safety of employees on railroads;

H. R. 22029. An act to incorporate the Congressional Club;

H. R. 11778. An act to amend an act approved June 11, 1906, entitled "An act to provide for the entry of agricultural lands within forest reserves;"

H. R. 17228. An act to promote the safe transportation in interstate commerce of explosives and other dangerous articles, and to provide penalties for its violation;

H. R. 19462. An act to amend section 5438 of the Revised Statutes;

H. R. 22212. An act granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Alleman;

H. R. 21871. An act to amend the national banking laws;

H. R. 21897. An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes;

H. R. 21946. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes;

H. R. 21844. An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment; and

H. J. Res. 197. Joint resolution authorizing the employment of clerical services in the Department of Justice.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. ROSE, one of its secretaries, announced that the Vice-President had appointed, in compliance with the provisions of section 17 of an act entitled "An act to amend the national banking laws," approved May 30, 1908, Mr. ALDRICH, Mr. ALLISON, Mr. BURROWS, Mr. HALE, Mr. KNOX, Mr. DANIEL, Mr. TELLER, Mr. MONEY, and Mr. BAILEY members of the National Monetary Commission on the part of the Senate.

NATIONAL MONETARY COMMISSION.

The SPEAKER. The Chair announces, in compliance with the provisions of section 17 of an act entitled "An act to amend the national banking laws," approved May 30, 1908, the appointment of the following Members on the part of the House.

The Clerk read as follows:

Mr. VREELAND of New York, Mr. OVERSTREET of Indiana, Mr. BURTON of Ohio, Mr. WEEKS of Massachusetts, Mr. BONYNGE of Colorado, Mr. SMITH of California, Mr. PADGETT of Tennessee, Mr. BURGESS of Texas, and Mr. PUJO of Louisiana.

The SPEAKER. Gentlemen of the House of Representatives, the time is here for adjournment. I want to thank the membership of the House for its uniform courtesy to its presiding officer. We all take pride in the National House of Representatives. I have served in many Congresses. The personnel of the Sixtieth Congress is quite equal to that of any in which I have had the honor to serve. We have differences in our views as to policies, and ought to have. The function of the minority is only second in importance to that of the majority. Looking at the majority side of the House I congratulate it upon its fidelity to public duty and the principles of the party which it represents for the common good.

Looking at the minority side of the House, I congratulate it for devotion to its policies. During the session at times there has been much of conflict, but with virile men, American citizens, there will always be much of conflict between earnest men of different parties, but out of that conflict comes the safety to the Republic.

I wish you a safe journey home and that you may return, one and all, in full health and vitality at the meeting of the second session of the Sixtieth Congress.

In pursuance of the concurrent resolution of the House and the Senate, it only remains for me to declare the first session of the Sixtieth Congress adjourned without day. [Loud and continued applause.]

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Doorkeeper of the House, transmitting an inventory of typewriters belonging to the United States and under his charge in the new Office Building—to the Committee on Accounts and ordered to be printed.

A letter from W. S. Rossiter, transmitting a report to the President upon conditions in the Government Printing Office—ordered to be printed as a House document.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

By Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution of the House (H. Res. 410) requesting the Secretary of War to furnish certain information in regard to semibituminous coal contracts for the Panama Railroad, reported the same without amendment, accompanied by a report (No. 1790), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII,

By Mr. McHENRY: A bill (H. R. 22267) to prevent the sale of fraudulent mining stock; to provide additional revenue; to meet the United States Treasury deficit; to equalize the distribution of the burden of taxation; to provide additional moneys to meet the demands of public improvements within the United States—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BRODHEAD: A bill (H. R. 22268) granting an increase of pension to Levi Frauenfelder—to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 22269) granting an increase of pension to Peter Goodling—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 22270) for the relief of D. F. Duckwall—to the Committee on War Claims.

By Mr. WATKINS: A bill (H. R. 22271) to correct the military record of Edward H. Cochran—to the Committee on Military Affairs.

Also, a bill (H. R. 22272) to correct the military record of John Dean—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARCHFELD: Petition of the Allegheny Council, No. 285, for H. R. 7559, making the 12th of October a national holiday—to the Committee on the Judiciary.

By Mr. BENNET of New York: Petition of Alfred B. Robinson and others, favoring concurrent resolution No. 28, relative to Russian atrocities—to the Committee on Foreign Affairs.

By Mr. BURTON of Ohio: Petition of International Brotherhood of Locomotive Engineers, Devereux Division, No. 167, favoring the Rodenberg anti-injunction bill (H. R. 17137) and the Hemenway-Graff safety ash-pan bill (H. R. 19795)—to the Committee on the Judiciary.

By Mr. CAPRON: Paper to accompany bill for relief of Nathan R. Kelton—to the Committee on Invalid Pensions.

By Mr. GARDNER of New Jersey: Petition of organized labor unions of New Jersey, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. GARRETT: Paper to accompany bill for relief of C. F. Sugg—to the Committee on Claims.

By Mr. KINKAID: Petition of members of various labor unions of Alliance, Nebr., for amending Sherman antitrust law by passage of Wilson bill (H. R. 20584) and for passage of Pearre bill (H. R. 94) relating to injunctions, employers' liability bill, and eight-hour Government employee bill—to the Committee on the Judiciary.

By Mr. KNOWLAND: Petition of citizens of Oakland and Fruitvale, Cal., for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), and the employers' liability bill—to the Committee on the Judiciary.

By Mr. LANDIS: Petition of Department of Indiana Grand Army of the Republic encampment at Kokomo, May 20, 1908, commending action of Congress for legislation increasing widows' pensions—to the Committee on Invalid Pensions.

By Mr. LOUD: Petition of Journeymen Barbers' Union, Bay City, Mich.; C. W. Daniels and others, of Essexville, Mich., and William J. Bell and others, of Bay City, Mich., for the enactment of the bills H. R. 94 and H. R. 20584, a general employers' liability law, and bill limiting a day's labor to eight hours upon work done by the Government—to the Committee on the Judiciary.

By Mr. NICHOLLS: Petition of citizens of Scranton, Pa., for amendment to Sherman antitrust law, Wilson bill (H. R. 20584), the Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. ROBERTS: Petition of citizens of Lynn, Mass., for amendment to Sherman antitrust law (H. R. 20584), and for Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of citizens of Chelsea, Malden, and Nahant, Mass., favoring concurrent resolution No. 28, relative to Russian atrocities—to the Committee on Foreign Affairs.

By Mr. RYAN: Petition of Louis Yensen and others, of Buffalo, N. Y., for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. SHERMAN: Petition of various councils of Knights of Columbus, favoring H. R. 7559, making October 12 a legal holiday—to the Committee on the Judiciary.

By Mr. WATKINS: Paper to accompany bill for relief of Edward H. Cochran—to the Committee on Military Affairs.